

Housing (Financial Provisions) (Scotland) Act, 1946.

9 & 10 GEO. 6. CH. 54.



ARRANGEMENT OF SECTIONS.

Section.

1. Exchequer contributions in respect of housing accommodation provided by local authorities.
2. Local authorities' contributions.
3. Exchequer contributions in respect of housing accommodation for agricultural population.
4. Local authorities' contributions in respect of housing accommodation for agricultural population.
5. Housing schemes involving expenditure on rights of support, etc.
6. Transitional provisions.
7. Contributions for certain houses provided by local authorities since 1940.
8. Contributions in respect of temporary housing accommodation provided in certain war buildings.
9. Increase of maximum amount of assistance under 1 & 2 Geo. 6. c. 38, s. 4.
10. Effect on certain contributions of a house ceasing to be available as such.
11. Effect on certain contributions of a house vesting in a local authority.
12. Payments to Scottish Special Housing Association.
13. Advances to Scottish Special Housing Association.
14. Review of contributions.
15. Contributions towards the cost of providing houses constructed by special methods approved by the Secretary of State.
16. Provisions as to contributions.
17. Amendment of law as to housing accounts.
18. Amendment of Act of 1925, s. 43.
19. Disposal of land for erection of churches, etc.
20. Short title, citation, construction and extent.

SCHEDULES.

First Schedule.—Provisions in pursuance of which Financial Assistance may be given by the Secretary of State or by Local Authorities.

Second Schedule.—Amendments of Housing (Scotland) Act, 1935.



CHAPTER 54.

An Act to make fresh provision for the making of contributions out of the Exchequer and by local authorities in respect of housing accommodation provided for the working classes in Scotland and for the making of payments and advances to the housing association approved for the purposes of section two of the *Housing (Financial Provisions) (Scotland) Act, 1938*; to amend Part II of the *Housing (Agricultural Population) (Scotland) Act, 1938*; to amend the provisions of the *Housing (Scotland) Acts, 1925 to 1944*, relating to the making of contributions in respect of housing accommodation, to housing accounts, and to the disposal of land; to enable county councils to provide housing accommodation outside their districts; and for purposes connected with the matters aforesaid.

[6th June 1946.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.—(1) Subject to the provisions of this Act, the Secretary of State shall undertake to make, and make, in respect of each new house completed after the seventh day of March, nineteen hundred and forty-four, by way of housing accommodation for the working classes provided by a local authority in accordance with proposals approved by the Secretary of State, payment to that local authority of an annual contribution for a period of sixty years.

(2) An annual contribution under this section shall be—

(a) in respect of a house of three apartments the sum of twenty-one pounds ten shillings;

- (b) in respect of a house of four apartments the sum of twenty-three pounds ; and
- (c) in respect of a house of five apartments the sum of twenty-five pounds ten shillings :

Provided that—

- (a) where the Secretary of State is satisfied that by reason of—
 - (i) the costliness of providing housing accommodation in a re-development area ; or
 - (ii) the purchase under Part I of the Act of 1930, or the payment of compensation under that Act in respect of the demolition, of dwelling-houses or other premises which are neither unfit for human habitation nor injurious or dangerous to health and which are included in, or adjoin, or are surrounded by, a clearance area ; or
 - (iii) the costliness of the provision by a local authority, being the town council of a large burgh, of housing accommodation in tenements on a central site ;

the total annual expenditure likely to be incurred by the local authority in providing housing accommodation to which this section applies is substantially greater than the aggregate of the appropriate annual contributions payable by the Secretary of State under the foregoing provisions and the provisions of subsection (4) of this section and the corresponding annual contributions payable by the local authority under section two of this Act, the Secretary of State may, with the sanction of the Treasury, undertake to make, and make, in addition to the appropriate contribution aforesaid payment to the local authority for a period of sixty years of an annual contribution of such amount not exceeding twenty pounds in respect of each house provided by way of such housing accommodation in the re-development area, in the clearance area or on land adjoining or surrounded by the clearance area and acquired in connection therewith, or in tenements on the central site as the case may be, as seems to the Secretary of State just and reasonable ;

- (b) where housing accommodation is provided by a local authority, being the town council of a large burgh, in a tenement the whole or any part of which is of at least four storeys (inclusive of any storey constructed for use for purposes other than those of a dwelling), and expenditure has been incurred in installing lifts in

the tenement, the Secretary of State may, in respect of each of such number of the houses in the tenement as he may think fit, undertake to make, and make, for a period of sixty years an annual contribution of seven pounds in addition to any annual contribution which he may undertake to make, and make, under the foregoing provisions of this section ;

- (c) where the Secretary of State is satisfied that the total annual expenditure likely to be incurred by a local authority not being the town council of a large burgh in providing housing accommodation to which this section applies is substantially greater than the aggregate aforesaid in consequence of the remoteness of the sites of any houses in which such accommodation is provided from centres of supply of building labour and material, and the impracticability of obtaining for such houses higher rents than are ordinarily payable by persons employed in agriculture or fishing or by persons of the like economic condition, the Secretary of State may, with the sanction of the Treasury, undertake to make, and make, in addition to the appropriate contribution aforesaid payment to the local authority for a period of sixty years of an annual contribution of such amount in respect of such of the houses so provided as seems to the Secretary of State just and reasonable.

(3) For the purposes of this section and of section two of this Act, a house of less than three apartments shall be deemed to be a house of three apartments, and a house of more than five apartments shall be deemed to be a house of five apartments.

(4) Where a local authority, in accordance with proposals approved by the Secretary of State, provide housing accommodation for single persons in a hostel completed after the seventh day of March, nineteen hundred and forty-four, then, subject to the authority complying with such conditions, if any, as the Secretary of State may impose, each part of the hostel designed for separate occupation by such persons shall be deemed to be a new house in respect of which the Secretary of State must undertake to make, and make, an annual contribution under this section, so however that the amount of the annual contribution shall be eleven pounds.

(5) No contribution shall be payable under this section in respect of any house in respect of which a contribution is payable under section three of this Act.

(6) In subsection (2) and subsection (3) of section forty-seven of the Town and Country Planning (Scotland) Act, 1945 (which 8 & 9 Geo. 6. provides for the payment in certain cases of subsidy under the c. 33.

2 & 3 Geo. 6.
c. 3.

Housing (Financial Provisions) (Scotland) Act, 1938, in respect of housing accommodation provided on land acquired under the said Act of 1945) any reference to a provision of the Housing (Financial Provisions) (Scotland) Act, 1938, shall include a reference to the corresponding provisions of this Act.

Local
authorities'
contributions.

2.—(1) A local authority to whom the Secretary of State has, under section one of this Act, undertaken to make a contribution in respect of any house or any accommodation which is deemed for the purposes of that section to be a new house shall make in respect thereof an annual contribution out of the appropriate rate for a period of sixty years from the date of the completion of the house or accommodation.

(2) An annual contribution under this section shall be—

- (a) in respect of a house of three apartments the sum of six pounds ten shillings ;
- (b) in respect of a house of four apartments the sum of seven pounds ; and
- (c) in respect of a house of five apartments the sum of seven pounds ten shillings ;

together with in every case an additional sum equal to one half of any additional contributions which the Secretary of State has undertaken to make under proviso (a) and proviso (b) to subsection (2) of section one of this Act ; and

- (d) in respect of accommodation deemed to be a new house in respect of which the Secretary of State has undertaken to make a contribution under subsection (4) of the said section one, the sum of five pounds.

Exchequer
contributions
in respect of
housing
accommoda-
tion for
agricultural
population.

3.—(1) Subject to the provisions of this Act, the Secretary of State shall undertake to make, and make, in respect of each new house completed after the seventh day of March, nineteen hundred and forty-four, by way of housing accommodation for the agricultural population provided by a local authority under Part III of the Act of 1925 in accordance with proposals approved by the Secretary of State, payment to that local authority of an annual contribution for a period of sixty years.

(2) An annual contribution under this section shall be of such amount as the Secretary of State may, with the sanction of the Treasury, determine, so however that the annual contribution shall not be less than twenty-one pounds ten shillings or exceed thirty-five pounds ; and in determining the amount of the annual contribution payable by him under this section the Secretary of State shall take into consideration the cost of providing the house, the rent which it will be practicable to obtain therefor, the expenditure already incurred or to be incurred by the local authority under the enactments

15 & 16 Geo. 5.
c. 15.

relating to housing, and the general financial resources of the local authority :

Provided that where the Secretary of State is satisfied that the annual expenditure likely to be incurred by the local authority in respect of any house is, in consequence of the remoteness of the site thereof from centres of supply of building labour and material, substantially greater than the equivalent of forty-one pounds ten shillings per annum for sixty years, the annual contribution shall be of such greater amount as the Secretary of State may, with the sanction of the Treasury, determine.

(3) No contribution shall be payable under this section in respect of any house in respect of which a contribution is payable under section one of this Act.

4. A local authority to whom the Secretary of State has under section three of this Act undertaken to make a contribution in respect of any house shall make in respect thereof out of the appropriate rate an annual contribution of six pounds ten shillings for a period of sixty years from the date of the completion of the house.

Local authorities' contributions in respect of housing accommodation for agricultural population.

5. Where the Secretary of State is satisfied on an application made to him by a local authority with respect to any house, or accommodation deemed to be a new house, which the authority have provided or intend to provide, that the cost of providing the house or accommodation has been or will be substantially enhanced by expenses attributable to the acquisition of rights of support, or otherwise attributable to measures taken by the authority for securing protection against the consequences of a subsidence of the site, then,—

Housing schemes involving expenditure on rights of support, etc.

(a) the Secretary of State may undertake to make, and make, in respect of the house or accommodation in addition to the appropriate contribution payable under section one or section three of this Act, payment to the local authority for a period of sixty years of an annual contribution of such amount not exceeding two pounds as he may determine ; and

(b) the local authority shall out of the appropriate rate make, in addition to the contribution payable by them under section two or section four of this Act, an annual contribution for the period of sixty years, an amount equal to one-half of the additional contribution which the Secretary of State has undertaken to make under this section.

6.—(1) After the passing of this Act no contribution shall be payable under section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or section one of the Housing (Financial Provisions) (Scotland) Act, 1938, in respect of a new house or any

Transitional provisions. 1 & 2 Geo. 6. c. 38.

accommodation deemed to be a new house completed after the seventh day of March, nineteen hundred and forty-four.

(2) Where in accordance with proposals approved by the Secretary of State for the purposes of section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or of section one of the Housing (Financial Provisions) (Scotland) Act, 1938, a house or any accommodation deemed to be a new house has been completed after the seventh day of March, nineteen hundred and forty-four, then—

- (a) this Act shall, for the purposes of the payment of contributions in respect of the house or accommodation, be deemed to have been passed immediately before the completion of the house or accommodation ;
- (b) if the house has been provided for the agricultural population it shall be deemed to have been approved by the Secretary of State for the purposes of section three of this Act, and in any other case the house or accommodation shall be deemed to have been approved for the purposes of section one of this Act ; and
- (c) any sums which have before the passing of this Act been paid out of moneys provided by Parliament in respect of the house or accommodation on account of contributions under either of the said Acts of 1938 or otherwise shall be applied in or towards the satisfaction of any contributions which become payable in respect of the house or the accommodation by virtue of this Act.

(3) Subsection (1) of section forty-seven of the Town and Country Planning (Scotland) Act, 1945 (which provides for the payment in certain cases of subsidy under the Housing (Financial Provisions) (Scotland) Act, 1938, in respect of housing accommodation provided on land acquired under the said Act of 1945) is hereby repealed.

Contributions
for certain
houses
provided by
local
authorities
since 1940.

7.—(1) The provisions of this section shall have effect in relation to any house or accommodation deemed to be a new house which—

- (a) is provided by a local authority in accordance with proposals approved by the Secretary of State on or after the first day of January, nineteen hundred and forty, for the purposes of section one of the Housing (Agricultural Population) (Scotland) Act, 1938, or of section one of the Housing (Financial Provisions) (Scotland) Act, 1938 ; and
- (b) is not a house or accommodation in respect of which contributions are payable under any of the preceding provisions of this Act.

(2) If the Secretary of State, with the consent of the Treasury, so determines, there shall, subject to the provisions of this section, be payable in respect of any such house the like annual exchequer contributions and the like annual contributions out of the appropriate rate as would have been payable if the house had been approved by him for the purposes of this Act and had been completed after the seventh day of March, nineteen hundred and forty-four.

(3) Where contributions are payable in respect of a house under the last preceding subsection, the Secretary of State shall have power to give such directions for all or any of the following purposes as he thinks appropriate having regard to the circumstances, and, in particular, having regard to the cost of the house and to any payments which have been made in respect of the house out of moneys provided by Parliament—

- (a) for reducing the amount of any such contribution ;
- (b) for reducing the number of such contributions ;
- (c) for altering the period in respect of which any such contribution is payable.

(4) No contributions shall, after the passing of this Act, be paid under the Housing (Agricultural Population) (Scotland) Act, 1938, or under the Housing (Financial Provisions) (Scotland) Act, 1938, in respect of any house in respect of which the Secretary of State has determined that contributions are to be paid under this section.

8.—(1) Where a local authority have (whether before or after the passing of this Act), for the purpose of discharging any of their duties under Part III of the Act of 1925, acquired the right to use any government war buildings, and the Secretary of State has approved for the purposes of this section arrangements made by the authority for using those buildings, whether with or without alterations, for providing temporary housing accommodation, then—

- (a) if the Secretary of State estimates that the authority will incur a loss in any year in respect of the provision of housing accommodation in pursuance of the arrangements, he shall make to the authority a contribution for that year of a sum equivalent to the estimated loss ; and
- (b) if the Secretary of State estimates that the authority will make a profit in any year in respect of the provision of housing accommodation in pursuance of the arrangements, the authority shall pay to him in respect of that year a sum equivalent to the estimated profit.

(2) For the purposes of any such estimate there shall be deemed to accrue to a local authority, in respect of each house provided by the authority in pursuance of any such arrangements

as aforesaid, in addition to any other income accruing from the house—

(a) where the authority are the council of a county in which the density of the population does not exceed one hundred per square mile, or are the council of a burgh of which the population does not exceed two thousand, the sum of six pounds a year; and

(b) in any other case, the sum of eight pounds a year.

(3) Where any buildings are demolished by a local authority upon ceasing to be used for the purpose of providing housing accommodation in pursuance of such arrangements as aforesaid, then—

(a) the Secretary of State shall pay to the authority the cost of demolition; and

(b) any sums realised by the authority by the disposal of materials derived from the demolished buildings shall be paid by the authority to the Secretary of State.

(4) Any sums paid to the Secretary of State under this section shall be paid into the Exchequer.

(5) In this section the expression “government war building” means any building which constitutes government war works as defined by section fifty-nine of the Requisitioned Land and War Works Act, 1945, and the expression “alterations” includes adaptations, enlargements and improvements.

8 & 9 Geo. 6.
c. 43.

Increase of
maximum
amount of
assistance
under 1 & 2
Geo. 6. c. 38.
s. 4.

9.—(1) Section four of the Housing (Agricultural Population) (Scotland) Act, 1938 (which relates to schemes for the replacement of unsatisfactory houses) shall have effect in relation to any assistance given in pursuance of an application made to the local authority after the passing of this Act as if in subsection (2) for the words “one hundred and sixty pounds” and “two hundred pounds” there were substituted respectively the words “two hundred and forty pounds” and “three hundred pounds”.

(2) Subject to the provisions of any amending scheme made after the passing of this Act by a local authority with the approval of the Secretary of State, any reference in a scheme under Part II of the Housing (Agricultural Population) (Scotland) Act, 1938, to the maximum amount of any assistance which may be given thereunder shall have effect subject to such modifications as may be required in order to give effect to the provisions of subsection (1) of this section.

Effect on
certain
contributions
of a house
ceasing to be
available
as such.

10.—(1) Where under any of the provisions specified in the First Schedule to this Act (being provisions in pursuance of which payments may be made by the Secretary of State or by local authorities by way of financial assistance in connection with the provision or improvement of housing accommodation) a periodical payment would, apart from this section, have fallen to be made

after the passing of this Act in respect of a house to any person other than a local authority, that payment shall not be made if, before the making thereof, the Secretary of State is satisfied that, during the whole or the greater part of the period to which the payment is referable, the house has not been available as a dwelling fit for habitation :

Provided that nothing in this subsection shall prevent the making of a periodical payment in respect of any house if the Secretary of State is satisfied that the house could not with reasonable diligence have been made available, during the whole or the greater part of the period to which the payment is referable, as a dwelling fit for habitation.

Any question as to the period to which any payment is referable shall be determined for the purposes of this subsection by the Secretary of State.

(2) Where the power or duty of a local authority to make any payment is wholly or partly discharged by virtue of the preceding subsection, the Secretary of State may make such consequential reductions as he thinks appropriate in any sum payable by him to the authority.

11.—(1) Where a house which has been provided by a housing association under arrangements made with a local authority under section twenty-six of the Act of 1935 becomes vested in that authority after the passing of this Act—

Effect on certain contributions of a house vesting in a local authority.
25 & 26 Geo. 5.
c. 41.

(a) no further sums shall, after the time of the vesting, become payable by the Secretary of State or by the authority in respect of the house under subsection (3) of the said section twenty-six ; and

(b) the Secretary of State may, if he thinks fit, pay to the authority a sum equivalent to any contribution which would, after the said time, have become payable to the authority in respect of the house under the said subsection (3) if all conditions precedent to the payment of that contribution had been at all material times observed.

(2) Where a house the provision of which has been assisted by a local authority under section four of the Housing (Agricultural Provisions) (Scotland) Act, 1938, becomes vested in that authority after the passing of this Act—

(a) no further contributions shall after the time of the vesting become payable by the Secretary of State in respect of the house under section eight of the said Act of 1938 ; and

(b) whether the conditions which apply by virtue of Part II of the said Act of 1938 to the house are observed or not, the Secretary of State may, if he thinks fit, pay to

the authority a sum equivalent to any contribution which would, after the said time, have become payable by him to the authority in respect of the house if all conditions precedent to the payment of that contribution had been at all material times observed.

Payments to
Scottish
Special
Housing
Association.
7 & 8 Geo. 6.
c. 39.

12. Section three of the Housing (Scotland) Act, 1944 (which authorises the Secretary of State to make payments to the Scottish Special Housing Association in respect of certain houses provided by them) shall have effect subject to the following amendments, that is to say—

- (a) subsection (2) shall, in relation to houses completed after the seventh day of March, nineteen hundred and forty-four, have effect as if for the words " forty years " there were substituted the words " sixty years," and as if for the reference to sections one and five of the Housing (Financial Provisions) (Scotland) Act, 1938, there were substituted a reference to sections one, two, five and fifteen of this Act ; and
- (b) for the word " areas ", wherever it occurs, there shall be substituted the word " districts ".

Advances to
Scottish
Special
Housing
Association.

13.—(1) Where the Secretary of State, after consultation with, or on the application of, a local authority has made arrangements with the Scottish Special Housing Association for the execution by them on behalf of the local authority of work for the provision of any housing accommodation which the local authority are empowered under Part III of the Act of 1925 to provide, he may make advances to the Association of such amounts and repayable over such periods and on such terms as may be approved by the Treasury.

(2) The provisions of subsections (2) to (5) of section four of the Housing (Scotland) Act, 1944, shall apply in relation to advances under this section in like manner as they apply in relation to advances made under subsection (1) of that section.

Review of
contributions.

14.—(1) Subject to the provisions of this section, the Secretary of State may from time to time by order provide in relation to new houses completed after such date, not being earlier than the thirtieth day of June, nineteen hundred and forty-seven, as may be specified in the order—

- (a) for reducing the amounts of all or any of the annual exchequer contributions payable under sections one, three or five of this Act ; "
- (b) for reducing the amounts of all or any of the annual contributions which the local authority are required to make under sections two, four or five of this Act ;
- (c) for reducing the number of years for which any such contributions are to be paid.

(2) Before the Secretary of State makes an order under this section, a draft thereof shall be laid before the Commons House of Parliament, and the order shall not be made unless that House, within the period of forty days beginning with the day on which the draft is laid before it, passes a resolution approving the draft.

In reckoning any such period of forty days, no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the Commons House is adjourned for more than four days.

(3) No draft of an order under this section shall be laid before the Commons House of Parliament before the first day of January, nineteen hundred and forty-seven.

(4) Before laying before the Commons House of Parliament a draft of an order under this section, the Secretary of State shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.

(5) The Secretary of State shall, immediately after the beginning of December in the year nineteen hundred and forty-six, consider whether it is expedient that an order should be made under this section; and, if after such consideration he is of opinion that no such order should for the time being be made, he shall lay before the Commons House of Parliament a report stating his decision.

(6) Section thirty-three of the Act of 1935 and subsection (1) of section four of the *Housing (Financial Provisions) (Scotland) Act, 1938*, are hereby repealed; and this repeal shall be deemed to have taken effect as from the end of September, nineteen hundred and forty-four.

(7) The proviso to subsection (3) of section five of the *Housing (Financial Provisions) (Scotland) Act, 1938*, is hereby repealed; and this repeal shall be deemed to have taken effect as from the end of September, nineteen hundred and forty-two.

15.—(1) Where, with a view to expediting the provision of housing accommodation, the Secretary of State approves for the purposes of this section any method of constructing houses which differs from the traditional methods, and—

Contributions towards the cost of providing houses constructed by special methods approved by the Secretary of State.

(a) at any time before the end of December, nineteen hundred and forty-seven, a local authority submit to the Secretary of State proposals for providing, in the exercise of their functions under Part III of the Act of 1925, a new house constructed by a method so approved;

- (b) the Secretary of State is satisfied that the cost to the authority of providing the house will exceed the cost which the authority would incur in providing on the same site a house of similar size constructed by a traditional method, and that the amount of the excess will be substantial ; and
- (c) the Secretary of State, with the consent of the Treasury, determines that the authority ought to receive a contribution under this section to defray the excess, and determines the amount of the contribution which is appropriate for that purpose ;

then, the Secretary of State shall make to the authority in respect of the house a contribution of the amount so determined.

(2) A contribution under this section shall be made by way of a lump sum payment upon the completion of the house.

(3) The provisions of this section shall be without prejudice to any power or duty of the Secretary of State to make any payment in respect of a house under any other provision of this Act.

Provisions
as to
contributions.

16.—(1) The sums required for the making of any contribution or payment which the Secretary of State is required or authorised under this Act to make shall be provided out of moneys provided by Parliament.

(2) Contributions to be made by the Secretary of State to a local authority under any enactment in the Housing (Scotland) Acts, 1919 to 1933, in the Housing (Scotland) Act, 1935, in the Housing (Agricultural Population) (Scotland) Act, 1938, in the Housing (Financial Provisions) (Scotland) Act, 1938 or in this Act, and payments to be made by the Secretary of State to the Scottish Special Housing Association under section three of the Housing (Scotland) Act, 1944, shall be, and shall be deemed always to have been, payable at such times and in such manner as the Treasury may direct and subject to such conditions as to records, certificates, audit or otherwise as the Secretary of State may, with the approval of the Treasury, impose.

(3) The provisions of the Act of 1935 specified in the Second Schedule to this Act shall have effect subject to the amendments so specified.

Amendment
of law as to
housing
accounts.

17.—(1) Where a house is for the time being vested in a local authority by reason of the default of any person in carrying out the terms of any arrangements under which assistance in respect of the provision, reconstruction or improvement of the house has been given under any enactment relating to housing, the house shall be deemed for the purposes of section thirty-nine of the

Act of 1935 (which specifies the houses with respect to which a local authority are required to keep a Housing Revenue Account) to be a house which has been provided by the authority under Part III of the Act of 1925.

(2) Where any surplus is shown in a Housing Revenue Account at the end of any financial year, the local authority shall have power to apply that surplus, in whole or in part, to any purpose which the Secretary of State may approve, being a purpose connected with the provision of housing accommodation for the working classes; and so much only of any surplus as remains after effect has been given to the preceding provisions of this subsection shall be available for application in accordance with section forty-one of the Act of 1935 (which relates to the disposal of surpluses shown in Housing Revenue Accounts).

(3) Section forty-two of the Act of 1935 (which requires local authorities to carry sums to the credit of the Housing Repairs Account in each financial year) shall, in relation to the financial year beginning on the sixteenth day of May, nineteen hundred and forty-six and each subsequent financial year, have effect as if for the words "an amount equal to fifteen per cent. of the annual rent (exclusive of any amount included therein in respect of occupier's rates)" there were substituted the words "four pounds".

(4) A local authority shall not, after the passing of this Act, be required by virtue of section forty-three of the Act of 1935 to keep a Housing Equalisation Account unless they think it desirable to do so, and accordingly—

(a) in relation to periods after the passing of this Act, subsection (1) of the said section shall have effect as if after the word "shall", where that word first occurs in the subsection, there were inserted the words "if they think it desirable", and as if after the word "shall", where that word secondly occurs in the subsection, there were inserted "if they keep such an account"; and

(b) subsection (3) of the said section is hereby repealed.

(5) Where a local authority close their Housing Equalisation Account, they shall carry to the credit of their Housing Revenue Account any sums standing to the credit of their Housing Equalisation Account when it is closed.

18. Section forty-three of the Act of 1925 (which relates to the provision of houses for the working classes) shall have effect as if in subsection (1) the words "Except in the case of the local authority of a district other than a burgh" were omitted. Amendment of Act of 1925, s. 43.

Disposal of
land for
erection of
churches, etc.

19. Where a local authority in the exercise of any power conferred on them by any enactment in the Housing (Scotland) Acts, 1925 to 1946, dispose of land to any person for the erection of a church or other building for religious worship or buildings ancillary thereto, then, unless the parties otherwise agree, such disposal shall be by way of feu.

Short title,
citation,
construction
and extent.

20.—(1) This Act may be cited as the Housing (Financial Provisions) (Scotland) Act, 1946, and shall be construed as one with the Housing (Scotland) Acts, 1925 to 1944; and those Acts and this Act may be cited together as the Housing (Scotland) Acts, 1925 to 1946.

(2) Unless the context otherwise requires, references in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment, including this Act.

(3) This Act shall extend only to Scotland.

SCHEDULES.

FIRST SCHEDULE.

Section 10.

PROVISIONS IN PURSUANCE OF WHICH FINANCIAL ASSISTANCE MAY BE
GIVEN BY THE SECRETARY OF STATE OR BY LOCAL AUTHORITIES.

Section sixteen of the Housing, Town Planning, etc. (Scotland) Act, 1919. 9 & 10 Geo. 5.
c. 60.

Section two of the Housing, &c. Act, 1923. 13 & 14 Geo. 5
c. 24.

Section three of the Housing, &c. Act, 1923.

Sections one and two of the Housing (Rural Workers) Act, 1926. 16 & 17 Geo. 5.
c. 56.

Subsection (3) of section twenty-six of the Housing (Scotland) Act, 1935.

Section four of the Housing (Agricultural Population) (Scotland) Act, 1938.

SECOND SCHEDULE.

AMENDMENTS OF HOUSING (SCOTLAND) ACT, 1935.

Section 16 (3).

1. In section twenty-six, subsection (6) (which relates to the valuation of certain houses owned by housing associations) shall have effect as if after the words "the Housing (Financial Provisions) (Scotland) Act, 1938," there were inserted the words "or the Housing (Financial Provisions) (Scotland) Act, 1946."

2. Section forty-five shall cease to have effect.

3. Subsection (3) of section forty-seven (which relates to the conditions to be observed by local authorities) shall have effect as if after the words "section one of the Housing (Agricultural Population) (Scotland) Act, 1938," there were inserted the words "and section three of the Housing (Financial Provisions) (Scotland) Act, 1946," and as if after the words "the agricultural population," there were inserted the words "except in so far as the demand for housing accommodation in the district on the part of members of the agricultural population can be satisfied without such reservation."

4. The Third Schedule shall have effect as if—

(a) to Part I thereof there were added the following words—

“ 11. Sections one, three, five and seven of the Housing (Financial Provisions) (Scotland) Act, 1946 ”; and

(b) in Part III thereof, after paragraph 8B there were inserted the following paragraph :—

“ 8C. The contributions payable by the local authority under sections two, four, five and seven of the Housing (Financial Provisions) (Scotland) Act, 1946.”

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