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SCHEDULES

SECOND SCHEDULE

Section 11.

AMENDMENTS OF ENACTMENTS RELATING TO FINANCIAL ASSISTANCE FOR HOUSING ACCOMMODATION

PART I

APPLICATION OF ENACTMENTS TO EXCHEQUER SUBSIDIES UNDER THIS ACT

The Town Development Act, 1952
(15 & 16 Geo. 6. and 1 Eliz. 2. c. 54.)

- 1 The expression "house", in a context importing a reference to any annual exchequer subsidy in respect thereof under this Act, shall be construed as having the meaning of "dwelling" as defined for the purposes of Part I of this Act.
- 2 In paragraph (c) of subsection (2) of section (three, in paragraph (f) of subsection (1) of section eight and in subsection (1) of section fourteen of the said Act (which relate respectively to the withholding or postponement of exchequer contributions, the assignment of the right to receive them, and the transfer of dwellings in respect of which they are payable) references to those contributions shall include references to annual exchequer subsidies under Part I of this Act.

The Housing Act, 1957
(5 & 6 Eliz. 2. c. 56.)

- 3 Subsection (1) of section one hundred and fourteen of the Housing Act, 1957 (which relates to the reservation of houses for the agricultural population), shall apply in relation to annual exchequer subsidies under Part I of this Act increased under subsection (3) of section five of this Act as it applies in relation to the subsidies and contributions there mentioned.

The Housing (Financial Provisions) Act 1958
(6 & 7 Eliz. 2. c. 42)

- 4 (1) Any exchequer subsidy payable under paragraph (a) of subsection (1) of section one of this Act shall be included in the definition of "exchequer payment" in subsection (2) of section fifty-eight of the Housing (Financial Provisions) Act, 1958.
- (2) In subsection (2) of section twenty-nine of the said Act (which defines certain payments connected with authorised arrangements)—
 - (a) in paragraph (a) references to a subsidy payable under section one of that Act shall include references to a subsidy payable under section one of this Act, and

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(b) in paragraph (b) references to an annual grant payable under section one of that Act shall include references to an annual grant payable under section one of this Act.

5 In subsection (4) of section nineteen of the said Act (which relates to the discontinuance of subsidy where a dwelling provided by a development corporation is sold or let) the reference to a subsidy payable under section one of that Act shall include a reference to a subsidy payable under section one of this Act.

6 (1) In section twenty-three and subsection (1) of section twenty-four of the said Act (which relate to county council contributions for houses for the agricultural population) references to exchequer subsidies increased under section five of that Act shall include references to exchequer subsidies increased under subsection (3) of section five of this Act.

(2) For the proviso to the said section twenty-three there shall be substituted the following proviso—

“Provided that the Minister may by order contained in a statutory instrument direct that any contribution under this section shall be reduced to such amount as may be specified in the order.

An order under this proviso shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament, and before laying such a draft the Minister 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.”

7 In subsections (1) and (2) of section twenty-five of the said Act (which relates to cases where a county council acts for the council of a county district, either by agreement or in pursuance of an order made under section one hundred and seventy-one or section one hundred and seventy-three of the Housing Act, 1957) references to the sections of that Act there mentioned shall include references to Part I of this Act, but the amount of any subsidy payable under section four of and the First Schedule to this Act shall be calculated as if the dwellings in question had been provided by the council of the county district concerned, and as if any income received and any expenditure incurred by the county council under the agreement or order which, if received or incurred by the said council of a county district, would have been included in that council's Housing Revenue Account, had in fact been so included.

8 In section twenty-eight of the said Act of 1958 (which relates to the time and manner of payment of subsidies) the reference to that Act shall include a reference to this Act.

9 In section thirty-six of the said Act of 1958 (which relates to Exchequer contributions towards improvement grants), in the proviso to subsection (2) for the words " under section two of this Act" there shall be substituted the words " made by the Minister by statutory instrument " , and at the end of that section there shall be added the following subsection—

“(6) An order under the said proviso shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament, and before laying such a draft the Minister 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.”

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- 10 Section fifty-seven of the said Act of 1958 (which relates to the Isles of Scilly) shall apply in relation to this Act as it applies in relation to the provisions specified in subsection (3) of that section.

The Town and Country Planning Act, 1959
(7 & 8 Eliz. 2 c. 53)

- 11 In the definition of "grant-aided function" in subsection (1) of section fifty-seven of the Town and Country Planning Act, 1959 (which excludes any exchequer subsidy under the Housing (Financial Provisions) Act, 1958), the reference to such a subsidy shall include a reference to a subsidy under Part I of this Act.

PART II

OTHER AMENDMENTS

The Housing, &c. Act, 1923
(13 & 14 Geo. 5. c. 24)

- 12 Section two of the Housing, &c. Act, 1923 (under which local authorities may give financial assistance for the provision of housing accommodation), shall cease to have effect except as respects houses built before the commencement of this Act.

The Housing (Financial Provisions) Act, 1958
(6 & 7 Eliz. 2. c. 42)

- 13 In paragraph (a) of subsection (1) of section nineteen of the Housing (Financial Provisions) Act, 1958, for the word " corporation" where it first occurs, there shall be substituted the words " local authority ".
- 14 Any payment which the Minister is authorised to make under paragraph (b) of subsection (3) of section nineteen of the said Act (which deals with the case where a subsidised dwelling provided by a development corporation vests in a local authority) shall be included in the expression " exchequer payment" as defined in subsection (2) of section fifty-eight of that Act.
- 15 As respects any financial year beginning on or after the first day of April, nineteen hundred and sixty-one, the Fifth Schedule to the said Act (which relates to the Housing Revenue Accounts of local authorities) shall apply—
- (a) with the addition of the following sub-paragraph to paragraph 4 of that Schedule—

“(2) In the case of incomings and outgoings other than those mentioned in the foregoing provisions of this Schedule, directions under this paragraph may (instead of directing particular amounts to be credited or debited) direct generally that credits or debits shall be made in respect of incomings or outgoings of a kind specified in the direction”;
 - (b) with the substitution of the following paragraph for paragraph 5 of that Schedule—

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“5 Any surplus shown in a Housing Revenue Account at the end of a financial year may be applied by the local authority, in whole or in part, in making good to the general rate fund any contribution credited to the account under sub-paragraphs (5) and (6) of paragraph 1 of this Schedule in any of the nine last preceding financial years, and, so far as not so applied, shall be carried to the credit of the account for the next financial year.”

The New Towns Act, 1959

(7 & 8 Eliz. 2. c. 62)

16 It is hereby declared that the reference in sub-paragraph (1) of paragraph 4 of the Second Schedule to the New Towns Act, 1959 (which provides for the continuance of subsidies where functions and property of a development corporation are transferred to the Commission for the New Towns), to any enactment includes a reference to an enactment passed after that Act and, in particular, to the provisions of this Act.