



# Housing Act 1969

## 1969 CHAPTER 33

An Act to make further provision for grants by local authorities and contributions out of moneys provided by Parliament towards the cost of providing dwellings by conversion or of improving dwellings and houses; to confer powers on local authorities to improve living conditions by improving the amenities of areas or of dwellings therein; to amend the law with regard to rents payable for certain dwellings in good repair and provided with certain amenities or improved with the assistance of local authorities; to make further provision with regard to houses in multiple occupation; to make further provision for payments in respect of unfit houses subject to compulsory purchase, clearance, demolition or closing orders; to alter the legal standard of fitness for human habitation and confer additional powers on local authorities to require the repair of houses; to amend the law relating to long tenancies and modify section 9(1) of the Leasehold Reform Act 1967; to amend Part II of the Housing Subsidies Act 1967; to amend section 46 of the Rent Act 1968; to increase the fine which may be imposed under section 170 of the Housing Act 1957; and for purposes connected with those matters. [25th July 1969]

BE IT ENACTED by the Queen'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:—

## PART I

### FINANCIAL ASSISTANCE TOWARDS COST OF IMPROVEMENTS AND CONVERSIONS

#### *Grants by local authorities*

#### **1 Improvement grants, standard grants and special grants**

- (1) Grants shall be payable by local authorities in accordance with the following provisions of this Part of this Act towards the cost of works required for—
- (a) the provision of dwellings by the conversion of houses or other buildings;
  - (b) the improvement of dwellings ; or
  - (c) the improvement of houses in multiple occupation by the provision of standard amenities ;

where the provision or improvement is by a person other than a housing authority.

- (2) A grant under this Part of this Act is in this Act referred to as—
- (a) an improvement grant, if the works are required for the provision of a dwelling or for the improvement of a dwelling not consisting or not wholly consisting of the provision of standard amenities which the dwelling lacks;
  - (b) a standard grant, if the works are required for the improvement of a dwelling by the provision of standard amenities which it lacks ;
  - (c) a special grant if the works are required for the improvement of a house in multiple occupation by the provision of standard amenities.

#### *Improvement grants*

#### **2 Improvement grants**

- (1) A local authority may pay an improvement grant if an application therefor is made in accordance with this section and approved by them.
- (2) Such an application must contain particulars of the works and an estimate of their cost, and such other particulars as the Minister may specify.
- (3) Subject to subsection (4) of this section, a local authority shall not entertain an application for an improvement grant if the cost of the works as estimated in the application is less than £100 or such other amount as may for the time being be prescribed.
- (4) Where, not more than three years before the making of the application, a standard grant was made in respect of the dwelling (or one of the dwellings) to which the application relates and the application contains a statement of the cost towards which the standard grant was made, that cost shall be deemed, for the purposes of the preceding subsection, to be added to that estimated in the application.
- (5) Where an application for an improvement grant relates to more than one dwelling then—
  - (a) if the dwellings are to be provided by the conversion of a house or other building, the cost referred to in subsection (3) of this section is the cost of the works divided by the number of dwellings ; and

- (b) if the dwellings are to be improved, the cost referred to in subsection (3) of this section is so much of the cost of the works as is in the opinion of the local authority attributable to any one dwelling.
- (6) Subject to section 25 of this Act, a local authority shall not entertain an application for an improvement grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.

### **3 Conditions for approval of application for improvement grant**

- (1) A local authority shall not approve an application for an improvement grant if the works specified therein have been begun unless they are satisfied that there were good reasons for beginning the works before the application was approved.
- (2) A local authority shall not approve an application for an improvement grant unless they are satisfied that the dwelling or dwellings to which the application relates will provide satisfactory housing accommodation for such period and conform with such requirements with respect to construction and physical conditions and the provision of services and amenities as may for the time being be specified for the purposes of this section by the Minister.

### **4 Approval of application for improvement grant**

- (1) Where a local authority approve an application for an improvement grant they shall determine the amount of the expenses which, in their opinion, are proper to be incurred for the execution of the works specified in the application and shall notify the applicant of that amount; and the amount so notified is in this Part of this Act referred to as the approved expense of the works.
- (2) The approved expense of any works shall not allow for works of repair and replacement more than one-half of that expense or such other part thereof as may for the time being be prescribed.
- (3) Where the applicant satisfies the local authority that the works specified in the application cannot be or could not have been carried out without the carrying out of additional works and that this could not have been reasonably foreseen at the time the application was made the local authority may substitute a higher amount as the amount of the approved expense.
- (4) In approving an application for an improvement grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

### **5 Amount of improvement grant**

- (1) The amount of an improvement grant shall be such amount as may be fixed by the local authority when they approve the application for the grant, but shall not exceed—
- (a) one half of the approved expense of the works, nor

- (b) subject to subsection (3) of this section, the limit imposed by or under subsection (2) of this section.
- (2) The limit is the amount or, if the application relates to more than one dwelling, the aggregate of the amounts, applicable under the following paragraphs, that is to say.—
  - (a) £1,000, or such other amount as may be prescribed, if the dwelling is improved by the works or is provided by them otherwise than mentioned in paragraph (b) of this subsection ; and
  - (b) £1,200, or such other amount as may be prescribed, if the dwelling is provided by the conversion of a house or other building consisting of three or more storeys.
- (3) The limit imposed by or under subsection (2) of this section may be exceeded by such amount as the Minister may approve, if the local authority are satisfied in a particular case that there are good reasons for fixing a higher amount; and the approval of the Minister may be given either with respect to a particular case or with respect to a class of case.
- (4) For the purposes of this section, where an improvement grant is to be paid towards the cost of works required for the provision of a dwelling all or part of which is in the basement of a building the basement shall count as a storey.

## **6 Payment of improvement grant**

- (1) An improvement grant may be paid after the completion of the works towards the cost of which it is payable or part of it may be paid in instalments as the works progress and the balance after the completion of the works.
- (2) Where part of an improvement grant is paid in instalments the aggregate of the instalments paid shall not at any time before the completion of the works exceed one half of the aggregate cost of the works executed up to that time.
- (3) The payment of an improvement grant or of any part thereof shall be conditional upon the works or the corresponding part of the works being executed to the satisfaction of the local authority.
- (4) If an instalment of an improvement grant is paid before the completion of the works and the works are not completed within the time specified in subsection (5) of this section, that instalment and any further sums paid by the local authority as part of the grant shall, on being demanded by the local authority, forthwith become repayable to them by the person to whom the instalment was paid and shall carry interest at such rate as may be prescribed from the date on which it was paid by the local authority until repayment.
- (5) Where the local authority have specified no time under section 4(4) of this Act for the completion of the works the time referred to in subsection (4) of this section is twelve months from the date on which the instalment is paid or such further time as the local authority may allow; and where they have specified a time or allowed further time under section 4(4) of this Act the time referred to in subsection (4) of this section is the time so specified or allowed.

### *Standard grants*

#### **7 Standard amenities**

- (1) Subject to subsection (2) of this section the standard amenities for the purposes of this Act shall be the amenities which are described in the Table set out in Part I of Schedule 1 to this Act and conform to such of the provisions of Part II of that Schedule as are applicable.
- (2) The Minister may by order vary the provisions of Schedule 1 to this Act and any such order may contain such transitional or other supplemental provisions as appear to the Minister to be expedient.

#### **8 Standard grants**

- (1) A local authority shall pay a standard grant if an application therefor is made in accordance with this section and approved by them and the works are executed to the satisfaction of the local authority.
- (2) Such an application must specify the dwelling and the works, and, where the works are for the provision of some only of the standard amenities, must also state whether the dwelling is already provided with the remainder.
- (3) A local authority shall not entertain an application for a standard grant with respect to a dwelling provided after 2nd October 1961.
- (4) Subject to section 25 of this Act a local authority shall not entertain an application for a standard grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.

#### **9 Conditions for approval of application for standard grant**

- (1) Subject to the following provisions of this section, a local authority shall approve an application for a standard grant if they are satisfied, and shall not approve it unless they are satisfied that, when the works specified in the application have been carried out.—
  - (a) the dwelling will be provided with all the standard amenities for the exclusive use of its occupants; and
  - (b) the dwelling will be in good repair, having regard to its age, character and locality, and disregarding internal decorative repair, and will in all other respects be fit for human habitation;and that the dwelling is likely to remain fit for human habitation and available for use as a dwelling for a period of not less than fifteen years.
- (2) A local authority shall not approve an application for a standard grant if the works specified therein have been begun unless they are satisfied that there were good reasons for beginning the works before the application was approved.
- (3) Where the works specified in the application include works for the provision of a fixed bath or shower elsewhere than in a bathroom the local authority are not required to approve the application but may do so if otherwise they would be required or authorised to do so under this section.

- (4) Where, under the preceding provisions of this section, a local authority would be required to approve an application for a standard grant if satisfied that, after the works specified in the application have been carried out, the dwelling will be provided with all the standard amenities, then, if—
- (a) the application contains a statement, and the local authority are satisfied, that it is not practicable at reasonable expense to provide the dwelling with all the standard amenities, and
  - (b) the local authority are satisfied that after the works specified in the application have been carried out the dwelling will be provided with the amenities included in the Table in Part I of Schedule 1 to this Act as items 5, 6 and 7 and that item 7 will conform to the provisions of paragraph 3 of Part II of that Schedule,
- the local authority shall approve the application notwithstanding that the dwelling will not be provided with all the standard amenities, unless they are satisfied that the dwelling is or forms part of a house or building in respect of which they have power to serve a notice under section 15 of the Housing Act 1961 or that section as extended by section 21 of that Act (power to require execution of works).
- (5) In considering for the purposes of the preceding subsection whether it would be practicable at reasonable expense to provide the dwelling with all the standard amenities, the local authority shall have regard to the estimated cost of the works which would be required for that purpose and the value which it is estimated the dwelling (or the building of which it forms part) would have if works to provide the dwelling with all the standard amenities were carried out.
- (6) Where the works specified in the application are to be carried out in compliance with an improvement notice served, or undertaking accepted, under Part II of the Housing Act 1964 and comprise the provision of a fixed bath or shower, then.—
- (a) if the fixed bath or shower is to be provided in a bathroom, the conditions stated in subsection (1) of this section shall, if otherwise satisfied, be deemed to be satisfied notwithstanding that the bath or shower is for the use of the occupants of more than one dwelling in a tenement block (within the meaning of Part II of that Act); and
  - (b) if the fixed bath or shower is to be provided elsewhere than in a bathroom, this section shall apply as if subsection (3) thereof were omitted.
- (7) Subject to such general or special directions as may from time to time be given by the Minister, a local authority may approve an application for a standard grant notwithstanding that the conditions stated in subsection (1) of this section are not satisfied.
- (8) An order under section 7(2) of this Act may vary the provisions of subsection (4) of this section.

## **10 Approval of application for standard grant**

In approving an application for a standard grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

## **11 Amount of standard grant**

- (1) The amount of a standard grant made towards the cost of any works shall, subject to the following provisions of this section, be one half of that cost.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the preceding subsection.
- (3) There shall be a limit on the amount of a standard grant, which shall be determined in accordance with Part III of Schedule 1 to this Act.

### *Effect of standard grant on amount of improvement grant*

## **12 Effect of standard grant on amount of improvement grant**

Where after the making of a standard grant in respect of a dwelling an improvement grant is made in respect of that dwelling, section 5(2) of this Act shall have effect, in relation to that dwelling, as if the sum specified in or prescribed under paragraph (a) thereof were reduced by the amount of the standard grant.

### *Special grants*

## **13 Special grants**

- (1) A local authority may pay a special grant if an application therefor is made in accordance with this section and approved by them and the works are executed to the satisfaction of the local authority.
- (2) Such an application must specify the house and the works, and must state by how many households and individuals the house is occupied and with what standard amenities it is already provided.
- (3) A local authority shall not entertain an application for a special grant unless they are satisfied that the applicant has, in every parcel of land on which the works specified in the application are to be or have been carried out, an interest which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired at the date of the application.
- (4) Part II of Schedule 1 to this Act shall apply for the purposes of the provisions of this Act relating to special grants as if paragraphs 2 and 3 and, in paragraph 1, the words from " except" onwards, were omitted.

## **14 Approval of application for special grant**

- (1) Subject to subsection (2) of this section and to any general or special directions which may be given by the Minister for the purposes of this section, a local authority may approve an application for a special grant in such circumstances as they think fit.
- (2) A local authority shall not approve an application for a special grant if the works specified therein have been begun, unless they are satisfied that there were good reasons for beginning the works before the application was approved.

- (3) In approving an application for a special grant a local authority may require as a condition of paying the grant that the works specified in the application are carried out within such time (which must not be less than twelve months) as the local authority may specify or such further time as the local authority may allow.

## **15 Amount of special grant**

- (1) The amount of a special grant made towards the cost of any works shall, subject to the following provisions of this section, be one half of that cost.
- (2) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in the opinion of the local authority, attributable to the provision of the standard amenity or standard amenities shall be taken into account under the preceding subsection.
- (3) The amount of a special grant shall not exceed the sum arrived at by allowing for each of the standard amenities provided the amount specified for an amenity of that description in the third column of the Table set out in Part I of Schedule 1 to this Act.

### *Contributions towards grants*

## **16 Contributions towards grants**

- (1) The Minister may make a contribution towards the expense incurred by a local authority in making a grant under this Part of this Act.
- (2) The contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works towards the cost of which the grant was made were completed, equal to three-quarters of the annual loan charges referable to the amount of the grant.

### *Contributions towards cost of improvements and conversions carried out by or under arrangements with housing authorities*

## **17 Contributions to local authorities and other bodies for dwellings improved by them or provided by them by conversion**

- (1) The Minister may pay contributions to housing authorities towards the cost incurred by them in—
- (a) the provision of dwellings by the conversion of houses or other buildings ; or
  - (b) the improvement of dwellings ;
- in such circumstances as appear to the Minister to be sufficiently similar to those in which a grant under this Part of this Act might be paid by a local authority had the provision or improvement been by a person other than a housing authority.
- (2) Such a contribution is in the following provisions of this Part of this Act referred to as—
- (a) a standard contribution, if the cost is incurred only in the improvement of dwellings by the provision of standard amenities which they lack ; and
  - (b) as an improvement contribution in any other case.



## **18 Improvement contributions**

- (1) The Minister may pay an improvement contribution with respect to any dwellings if an application therefor containing such estimates and particulars as he may require is made by a housing authority and approved by him.
- (2) When approving the application the Minister shall determine an amount as the allowable cost and that amount shall, subject to the limit imposed by or under the following provisions of this section, be one-half of the aggregate of—
  - (a) the amount appearing to him to be the cost proper to be incurred by the housing authority for the purpose of carrying out any works required for the provision or improvement of the dwellings ; and
  - (b) the cost (if any) incurred by the housing authority in acquiring an estate or interest in any building for the purpose of converting it into any of the dwellings or acquiring any estate or interest in any of the dwellings for the purpose of improving it.
- (3) Subject to subsection (4) of this section, the allowable cost shall not exceed the amount arrived at by taking for each dwelling provided or improved £1,000 or such other sum as the Minister may by order specify, unless the case belongs to a class with respect to which the Minister, on being satisfied that there is good reason for doing so, has determined a higher amount or the Minister is satisfied that in the circumstances of the particular case there is good reason for determining a higher amount.
- (4) Where the dwelling is one in which the housing authority have acquired an estate or interest for the purpose of improving it or is a dwelling provided by the conversion of a house or other building in which the housing authority have acquired an estate or interest for the purpose of converting it into dwellings, subsection (3) of this section shall have effect, with respect to the dwelling, as if £1,250 or such other sum as the Minister may by order specify were substituted for that specified by or under that subsection.
- (5) The improvement contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works required for the provision or improvement of the dwellings are completed, equal to three-quarters of the annual loan charges referable to the allowable cost.

## **19 Standard contributions**

- (1) The Minister may pay a standard contribution with respect to any dwelling if an application therefor containing such estimates and particulars as he may require is made by a housing authority and approved by him.
- (2) A standard contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works required for the provision of the standard amenities are completed, equal to three-quarters of the annual loan charges referable to the allowable cost.
- (3) Subject to the following provisions of this section, the allowable cost with respect to any standard amenities shall be one-half of the cost shown to have been incurred in carrying out the works required for providing them.
- (4) If any of the works are not exclusively for the purpose of providing one or more of the standard amenities, only so much of the cost of carrying out those works as is, in

the opinion of the Minister, attributable to the provision of the standard amenity or standard amenities shall be taken into account under subsection (3) of this section.

- (5) There shall be a limit on the allowable cost, which shall be determined in accordance with Part III of Schedule 1 to this Act.

## **20 Effect of standard contribution on amount of improvement contribution**

Where an application for an improvement contribution with respect to any dwelling is approved after the approval of an application for a standard contribution with respect to the same dwelling section 18 of this Act shall apply in relation to that dwelling as if the limit imposed by or under subsections (3) and (4) of that section were reduced by the amount of the allowable cost determined under section 19 of this Act.

## **21 Contributions for dwellings provided or improved by housing associations under arrangements with local authorities**

- (1) Where any arrangements between a local authority and a housing association under section 121 of the Act of 1957 (arrangements for provision of dwellings by conversion or for improvement of dwellings) are made after the passing of this Act the following provisions of this section shall apply (and accordingly section 12 of the Housing (Financial Provisions) Act 1958 and section 12 of the Housing Subsidies Act 1967 shall not apply).
- (2) The approval of the Minister, both to the making of the arrangements and to the terms thereof, may be given either generally to local authorities or to any local authority or class of local authority or in any particular case and may be given unconditionally or subject to any conditions.
- (3) The Minister shall pay a contribution towards the cost of carrying out the arrangements if an application therefor containing such particulars and estimates as the Minister may require is made by the local authority and the local authority certify, in such form as the Minister may direct, that the arrangements and the terms thereof comply with any conditions subject to which his approval was given, and that in their opinion the dwellings will provide satisfactory housing accommodation for such period and conform with such requirements with respect to construction and physical conditions and the provision of services and amenities as may for the time being be specified for the purposes of this section by the Minister.
- (4) The Minister shall determine an amount as the allowable cost for the purposes of the contribution and that amount shall, subject to the limit imposed by or under the following provisions of this section, be one-half of the aggregate of—
- (a) the amount certified by the local authority as appearing to them to be the cost proper to be incurred by the housing association for the purpose of executing any work required under the arrangements ; and
  - (b) the amount certified by the local authority as being the cost incurred by the housing association in acquiring any estate or interest in any building or dwelling with a view to entering into or for the purpose of carrying out the arrangements.
- (5) Subject to subsection (6) of this section, the allowable cost shall not exceed the amount arrived at by taking for each dwelling provided or improved £1,000 or such other sum as the Minister may by order specify, unless the case belongs to a class with respect to which the Minister, on being satisfied that there is good reason for doing so, has

determined a higher amount or the Minister is satisfied that in the circumstances of the particular case there is good reason for determining a higher amount.

- (6) Where the dwelling is one in which the housing association have acquired an estate or interest with a view to entering into the arrangements or for the purpose of carrying them out or is a dwelling provided by the conversion of a house or other building in which the housing association have acquired an estate or interest with that view or for that purpose, subsection (5) of this section shall have effect, with respect to that dwelling, as if £1,250 or such other sum as the Minister may by order specify were substituted for that specified by or under that subsection.
- (7) The contribution shall be a sum payable annually for a period of twenty years beginning with the financial year in which the works carried out in pursuance of the arrangements are completed, equal to three-quarters of the annual loan charges referable to the allowable cost; and for the purposes of this subsection the definition of " annual loan charges " in section 86(5) of this Act shall have effect as if the reference to a housing authority were a reference to a housing association.
- (8) A contribution under this section shall be paid to the local authority, who shall pay to the housing association by way of annual grant an amount not less than the contribution.
- (9) Where a dwelling is provided or improved by a housing association in pursuance of arrangements in respect of which a contribution is paid under this section, no grant under this Part of this Act shall be made to the housing association towards the cost of improving the dwelling.
- (10) The Greater London Council shall be a local authority for the purposes of this section.

#### *Power to vary contributions*

## **22 Power to vary contributions**

- (1) The Minister may by order vary, with respect to grants, improvement contributions or standard contributions made in pursuance of applications approved after such date as may be specified in the order, or with respect to contributions made under the preceding section in pursuance of arrangements made after a date so specified, the sum payable annually under section 16, or as the case may be, section 18, 19 or 21 of this Act.
- (2) An order under this section—
  - (a) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament; and
  - (b) shall not specify a date earlier than the date of the laying of the draft;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 housing authority with whom consultation appears to him to be desirable.
- (3) The council of a county shall be a local authority for the purposes of this section.

*Supplemental***23 Statement of reasons for not approving application for grant or fixing less than maximum for improvement grant**

Where a local authority do not approve an application for a grant under this Part of this Act or fix the amount of an improvement grant at less than the maximum authorised by section 5 of this Act they shall state to the applicant in writing their reasons for doing so.

**24 Assistance for works specified in applications for grants under former enactments**

For the purpose of allowing an application for an improvement grant or standard grant to be made notwithstanding that all or some of the works to be specified therein were specified in an application (made before the commencement of this Act) for an improvement grant under section 30 of the Housing (Financial Provisions) Act 1958 or a standard grant under section 4 of the House Purchase and Housing Act 1959, the local authority shall allow that application to be withdrawn, whether or not it has been approved, unless they are satisfied that the works specified in the application have been begun.

**25 Special provisions as to parsonages, almshouses, etc.**

Sections 2(6) and 8(4) of this Act do not apply in relation to—

- (a) an application for a grant under this Part of this Act in respect of glebe land or the residence house of an ecclesiastical benefice made, during a period when the benefice is vacant, by a sequestrator of the profits thereof; or
- (b) an application for such a grant in respect of a building held upon trust for use as an almshouse or as the residence of a minister of any religious denomination made by the trustees exercising the powers of management of the trust estate ; or
- (c) an application for such a grant made on behalf of a charity where land to which the application relates is land which, or an interest in which, is vested in the official custodian for charities or any other custodian trustee in trust for the charity;

and do not apply in relation to any land which is proposed to be sold or leased to the applicant under section 105(2) of the Act of 1957 (power to dispose of land for the purpose of carrying out works in connection with work on an adjoining house).

**26 Local authorities for purposes of Part I**

The local authorities for the purposes of this Part of this Act are the councils of boroughs, urban districts and rural districts and the Common Council of the City of London.

**27 Interpretation**

In this Part of this Act—

" house in multiple occupation " means a house which is occupied by persons who do not form a single household;

" housing authority " means the council of a county, county borough, London borough or county district, the Greater London Council, the Common Council of the City of London, the Commission for the New Towns or a development corporation within the meaning of the New Towns Act 1965 ;

" improvement " includes alteration and enlargement and such repairs and replacements as are either incidental to some other improvement or needed (in the opinion of the person paying any grant or contribution) for the purpose of making the other improvement fully effective;

" improvement grant " has the meaning assigned to it by section 1(2) of this Act;

" prescribed ", except where the context otherwise requires, means prescribed by regulations made by the Minister ;

" special grant " and " standard grant " have the meanings assigned to them by section 1(2) of this Act.

## PART II

### GENERAL IMPROVEMENT AREAS

#### 28 General improvement areas

- (1) Where a report with respect to a predominantly residential area within the district of a local authority is submitted to them by a person or persons appearing to the authority to be suitably qualified (whether or not that person is or those persons include an officer of the authority) and it appears to the authority, upon consideration of the report and of any other information in their possession, that living conditions in the area ought to be improved by the improvement of the amenities of the area or of dwellings therein or both and that such an improvement may be effected or assisted by the exercise of their powers under this Act, the authority may cause the area to be defined on a map and by resolution declare it to be a general improvement area.
- (2) As soon as may be after passing a resolution declaring an area to be a general improvement area the local authority shall—
  - (a) publish in two or more newspapers circulating in the locality (of which one at least shall, if practicable, be a local newspaper) a notice of the resolution identifying the area and naming a place or places where a copy of the resolution, of the map on which the area is defined and of the report mentioned in subsection (1) of this section may be inspected at all reasonable times ;
  - (b) take such further steps as may appear to them best designed to secure that the resolution is brought to the attention of persons residing in the area or owning property therein and that those persons are informed of the name and address of the person to whom any enquiries and representations concerning any action to be taken in the exercise of the local authority's powers under this Part of this Act should be addressed ; and
  - (c) send to the Minister a copy of the resolution, of the report and of the map and a statement of the number of dwellings in the area.

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*Status: This is the original version (as it was originally enacted).*

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## **29 Mutual exclusion of general improvement areas and clearance areas**

- (1) A general improvement area shall not be so defined as to include (but may be so defined as to surround)—
  - (a) any land comprised in an area declared to be a clearance area under Part III of the Act of 1957,
  - (b) any land purchased under section 43(3) of that Act as being land surrounded by or adjoining a clearance area, or
  - (c) any land included in a clearance area in accordance with section 49 of that Act, unless the land has been cleared of buildings.
- (2) Where the Minister on confirming a compulsory purchase order under Schedule 3 to the Act of 1957 or a clearance order under Schedule 5 to that Act modifies the order by excluding from a clearance area any land adjoining a general improvement area, that land shall, unless the Minister otherwise directs, be deemed to be included in the general improvement area.
- (3) A clearance area under Part III of the Act of 1957 shall not be so defined as to include any land which is for the time being included in a general improvement area.

## **30 Changes with respect to general improvement area**

- (1) A local authority may by resolution—
  - (a) exclude from a general improvement area any land for the time being included therein ; or
  - (b) declare an area to be no longer a general improvement area;but such a resolution shall be of no effect unless approved by the Minister.
- (2) Where it appears to a local authority desirable in the interests of the improvement of the amenities of an area which has been declared a general improvement area that any land adjoining the area should be included in the general improvement area, they may by resolution include the land in the general improvement area and cause the general improvement area to be re-defined accordingly.
- (3) As soon as may be after passing a resolution in pursuance of subsection (2) of this section the local authority shall—
  - (a) publish in two or more newspapers circulating in the locality (of which one at least shall, if practicable, be a local newspaper) a notice of the resolution identifying the land included in the area by the resolution and naming a place or places where a copy of the resolution, and of the map on which the general improvement area is re-defined, may be inspected at all reasonable times; and
  - (b) send to the Minister a copy of the resolution and of the map and a statement of the number of dwellings on the land.

## **31 Duty to publish information**

Where a local authority have declared an area to be a general improvement area it shall be their duty to bring to the attention of persons residing in the area or owning property therein the action they propose to take in the exercise of their powers under this Part of this Act and the assistance available for the improvement of the amenities of the area or of the dwellings therein by publishing from time to time, in such manner

as appears to them appropriate, such information as is in their opinion best designed to further the objects of this Part of this Act.

### **32 General powers exercisable by local authority in general improvement area**

- (1) Where a local authority have declared an area to be a general improvement area they may, for the purpose of effecting or assisting any such improvement as is mentioned in section 28(1) of this Act—
  - (a) carry out any works on land owned by them and assist (whether by grants or loans or otherwise) in the carrying out of any works on land not owned by them ;
  - (b) acquire any land by agreement;
  - (c) let or otherwise dispose of any land for the time being owned by them;and may be authorised by the Minister to acquire compulsorily any land within the general improvement area or adjoining that area.
- (2) The Acquisition of Land (Authorisation Procedure) Act 1946 shall apply to a compulsory acquisition of land under this section as if this section had been in force immediately before the commencement of that Act.
- (3) Where a local authority acquire land in pursuance of this section it shall be their duty to secure that any persons who may be displaced from residential accommodation on the land and for whom no suitable accommodation is otherwise available on reasonable terms will be provided with such accommodation before the displacement.
- (4) Section 144 of the Act of 1957 (obligation to rehouse in certain circumstances) shall not apply to any acquisition of land under this section.
- (5) Nothing in this section shall enable a local authority to improve any dwelling which has not been acquired or provided by them in pursuance of this section or to make any grant towards the cost of any works in any case where such a grant might be made under Part I of this Act.

### **33 Conversion of highway into footpath or bridle-way**

- (1) A local authority may, with respect to any such highway in a general improvement area declared by them as is mentioned in subsection (1) of section 92 of the Town and Country Planning Act 1968 (conversion of highway into footpath or bridle-way) exercise the powers of a local planning authority under that section, whether or not they are the local planning authority; but where they are not the local planning authority they shall not make an application under subsection (2) or subsection (8) of that section except with the consent of the local planning authority; and where they are neither the local planning authority nor the highway authority any such application made by them shall in the first place be sent to the highway authority, who shall transmit it to the responsible Minister (within the meaning of that section).
- (2) Where an order under subsection (2) of section 92 of that Act has been made on the application, by virtue of this section, of a local authority who are not the local planning authority.—
  - (a) any compensation under subsection (5) of that section shall be payable by them instead of by the local planning authority; and

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- (b) the local authority may exercise the powers exercisable by them under section 93 of that Act as the competent authority for the purposes of that section without the consent of the local planning authority.

### **34 Protection against blight**

Where, in pursuance of section 31 of this Act, a local authority have published information indicating that they propose to acquire any land in the exercise of their powers under this Part of this Act, sections 139 to 151 of the Town and Country Planning Act 1962 (protection of interests in land affected by planning proposals) shall have effect as if—

- (a) the land were included in that specified in subsection (1) of section 138 of that Act and its description in the definition of " the specified descriptions " in subsection (5) of that section; and
- (b) in section 139(3) of that Act " the relevant date " were defined, in relation to the land, as the date on which the information was first published ;

and section 152 of that Act (no withdrawal of constructive notice to treat) shall have effect accordingly; and section 34 of the Town and Country Planning Act 1968 (power of mortgagee to serve blight notice) shall apply in relation to the land as it applies in relation to land of the description mentioned in subsection (2) of that section.

### **35 Disposal and appropriation of land**

- (1) Where any land for the time being vested in a local authority for the purposes of this Part of this Act—
  - (a) consists of or forms part of an open space; or
  - (b) has been compulsorily acquired under this Part of this Act;
 the local authority shall not dispose of it except with the consent of the Minister.
- (2) Where the disposal of any land vested in a local authority for the purposes of this Part of this Act is not subject to the consent of the Minister in pursuance of subsection (1) of this section they shall not, without his consent, sell, exchange or, subject to subsection (4) of this section, let it for a price, consideration or rent less than the best that can reasonably be obtained, having regard to any restrictions or conditions (including conditions as to payment or the giving of security for payment) subject to which the land is sold, exchanged or let.
- (3) For the purposes of this section land shall be taken to have been acquired by an authority compulsorily if it was acquired by agreement at a time when they were authorised to acquire it compulsorily.
- (4) The consent of the Minister under the preceding provisions of this section may be given either generally to local authorities or to any local authority or class of local authority or in any particular case and may be given either unconditionally or subject to any conditions; and the consent of the Minister under subsection (2) of this section shall not be required to any letting for a term not exceeding seven years.
- (5) Where a local authority acquire any land in pursuance of this Part of this Act they shall comply with such general or special directions as may be given by the Minister as to the exercise of their power to appropriate the land for the purposes of Part V of the Act of 1957 (provision of housing accommodation).



- (6) The power of a local authority under section 32(1)(a) of this Act to carry out works on land owned by them may, with the approval of the Minister given (with or without limitation) either generally or in a particular case, be exercised notwithstanding that they have not appropriated the land for the purposes of this Part of this Act.
- (7) In this section " open space" means any land laid out as a public garden or used for the purposes of public recreation, and any disused burial ground ; and section 29 of the Town and Country Planning Act 1959 (protection of persons deriving title to land under transactions requiring consent) applies to any transaction requiring consent under this section.

### **36 Standard grants in general improvement area**

Where an application for a standard grant under Part I of this Act is made with respect to a dwelling in a general improvement area the local authority shall not be required to approve it but may approve it if they would otherwise be required or authorised to do so.

### **37 Contributions to local authorities towards expenditure incurred under this Part of this Act**

- (1) The Minister may, subject to any directions of the Treasury, pay a contribution to a local authority towards such expenditure incurred by them under this Part of this Act—
- (a) in carrying out works or providing any land ; or
  - (b) in making contributions to any other authority or person towards expenses which might be so incurred by the local authority;
- as he may approve for the purposes of this section on an application by the local authority made, where the expenditure is incurred in carrying out any works, before the works are begun.
- (2) For the purposes of this section—
- (a) the cost of any works shall be taken to be the amount certified by the local authority as appearing to them to be the cost likely to be incurred by them in carrying out those works ; and
  - (b) the cost of any land acquired by a local authority under this Part of this Act shall be taken to be the expenses incurred by the authority in connection with the acquisition, and the cost of any land appropriated by a local authority for the purposes of this Part of this Act shall be taken to be such amount as the Minister may determine.
- (3) A contribution under this section shall be a sum payable annually for a period of twenty years beginning with the financial year in which the relevant works are completed, equal to one-half of the annual loan charges referable to the expenditure approved for the purposes of this section.
- (4) The aggregate of any expenditure approved for the purposes of this section (whether on one or more applications) in respect of any general improvement area shall not exceed the sum arrived at by multiplying £100 by the number of dwellings stated by the local authority under the preceding provisions of this Part of this Act to be in the area or, if it appears to the Minister that there will be an increased number of dwellings in the area, by that increased number; but the Minister may, for the purposes of this subsection—

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- (a) treat two adjoining general improvement areas as one; or
  - (b) treat the addition, in pursuance of section 30 of this Act, of land to a general improvement area as the declaration of a separate general improvement area.
- (5) The Minister may, with the consent of the Treasury, by order substitute another amount for the amount of £100 mentioned in subsection (4) of this section, and a statutory instrument containing such an order shall be subject to annulment in pursuance of a resolution of the Commons House of Parliament.
- (6) For the purposes of this section the relevant works, in relation to any expenditure, are—
- (a) if the expenditure is incurred in carrying out any works, those works; and
  - (b) if the expenditure is incurred in providing any land on which works are to be carried out, those works.
- (7) Where any arrangement made between a local authority and a housing association so provides, any expenditure incurred by the housing association in pursuance of the arrangement which might have been incurred by the local authority under this Part of this Act shall be treated for the purposes of subsection (1) of this section as if it were expenditure so incurred by the local authority; and where any such expenditure is approved by the Minister for the purposes of this section—
- (a) subsection (3) of this section shall have effect, in relation to it, as if in the definition of " annual loan charges " in section 86(5) of this Act the reference to a housing authority were a reference to a housing association; and
  - (b) the local authority shall pay to the housing association by way of annual grant an amount not less than so much of the contribution paid to the local authority under this section as is referable to that expenditure.

### **38 Effect of contribution under section 37 on Housing Revenue Account**

Where any expenditure incurred by a local authority in relation to any houses or other land for the time being vested in them for the purposes of Part V of the Act of 1957 has been approved for the purposes of section 37 of this Act, then, notwithstanding section 50 of the Housing (Financial Provisions) Act 1958, neither the expenditure nor the contribution under section 37 shall be carried to the Housing Revenue Account, except with the consent of the Minister.

### **39 Local authorities for purposes of Part II**

Subject to section 40 of this Act, the local authorities for the purposes of this Part of this Act are the councils of boroughs, urban districts and rural districts and the Common Council of the City of London.

### **40 Special provisions as to Greater London**

- (1) The Greater London Council may exercise the powers of a local authority under sections 28 and 30 of this Act with respect to any area in Greater London, but only with the agreement of any local authority in whose district the area or any part of the area is situated.
- (2) In relation to any house or other land in a general improvement area declared by the Greater London Council—

- (a) the Greater London Council shall be deemed to be a local authority for the purposes of sections 17 to 22 and 74 of this Act and shall be deemed to be the local authority, to the exclusion of any other authority, for the purposes of the provisions of Part I of this Act other than sections 17 to 22, this Part, Part III and section 75 of this Act, and Part II of the Act of 1957; and
- (b) any functions exercisable by the council of a London borough or the Common Council of the City of London under Part IV of the Act of 1957, Part II of the Housing Act 1961, section 19, 20 or 21 of the Housing Act 1964 or Part IV of that Act shall be so exercisable only after consultation with the Greater London Council.

#### **41 Discontinuance of power to declare improvement area**

No further area shall be declared an improvement area under section 13 of the Housing Act 1964; and (without prejudice to the power of a local authority to take such action under Part II of that Act as appears to them appropriate with respect to dwellings in an area declared an improvement area before the commencement of this Act) subsection (4) of that section (which imposes an express duty to take action) shall not apply in a general improvement area.

#### **42 Repeal of provisions relating to re-development areas**

Sections 55 to 57 of the Act of 1957 (which make provision for the declaration of re-development areas and the purchase of land for purposes of re-development) shall cease to have effect.

### **PART III**

#### **RENT OF DWELLINGS IN GOOD REPAIR AND PROVIDED WITH STANDARD AMENITIES**

##### *Conversion of controlled tenancies*

#### **43 Conversion of controlled tenancies of dwellings provided with standard amenities and in good repair**

- (1) The following provisions of this section shall have effect with respect to a controlled tenancy of a dwelling which is certified by the local authority, on the application of the landlord, to satisfy the following conditions, that is to say, that it is provided with all the standard amenities for the exclusive use of its occupants, that it is in good repair, having regard to its age, character and locality and disregarding internal decorative repair, and that it is in all other respects fit for human habitation.
- (2) Except in the case mentioned in subsection (3) of this section the tenancy shall become a regulated tenancy on the issue of the certificate or (unless the tenancy has then become a regulated tenancy apart from this Act or has ceased to exist) on such later date as is specified in section 50 of this Act or an order made thereunder.
- (3) If the controlled tenancy is one to which Part II of the Act of 1954 would apply, apart from section 9(3) of the Rent Act 1968, or would so apply if the controlled tenancy were a tenancy within the meaning of the Act of 1954, it shall, on the issue of the certificate, cease to be a controlled tenancy and shall then be treated as a tenancy

continuing by virtue of section 24 of the Act of 1954 after the expiry of a term of years certain.

- (4) Section 46 of the Rent Act 1968 (determination of fair rent) shall apply in relation to a controlled tenancy which becomes a regulated tenancy by virtue of this Part of this Act as if the references in subsection (3) thereof to the tenant under the regulated tenancy included references to the tenant under the controlled tenancy.
- (5) The conditions mentioned in subsection (1) of this section are in this Part of this Act referred to as the qualifying conditions and a certificate issued in accordance with this section as a qualification certificate.
- (6) In this section " the Act of 1954 " means the Landlord and Tenant Act 1954.

#### **44 Application for qualification certificate**

- (1) Except where an application for a qualification certificate is made under subsection (2) of this section it shall not be entertained unless either—
  - (a) the dwelling has at all times since the commencement of this Act been provided with all the standard amenities; or
  - (b) any of the standard amenities previously lacking were provided by means of works begun before the commencement of this Act;
 and shall not be entertained while the conditions of Schedule 4 to the Housing (Financial Provisions) Act 1958 fall to be observed with respect to the dwelling.
- (2) An application for a qualification certificate may be made with respect to a dwelling notwithstanding that at the time of the making of the application the dwelling lacks one or more of the standard amenities, if the application is made (whether or not as part of or in conjunction with an application for a grant under Part I of this Act) before any works are begun for providing the dwelling with the standard amenities which it lacks.
- (3) An application for a qualification certificate must state the name of the tenant under the controlled tenancy and, if the application is made at a time when the dwelling does not satisfy the qualifying conditions, must state what works are required for those conditions to be satisfied and must be accompanied by plans and specifications of those works.
- (4) Before considering an application for a qualification certificate a local authority shall send a copy of the application to the person named in the application as the tenant.

#### **45 Procedure on applications under section 44(1)**

- (1) Where an application for a qualification certificate is made under section 44(1) of this Act the local authority shall, before considering it, serve on the person named in the application as the tenant a notice in the prescribed form—
  - (a) informing him that he may, within twenty-eight days from the service of the notice or such other time as may be prescribed, make representations to the authority that the dwelling does not satisfy the qualifying conditions; and
  - (b) containing such other information or explanation of the effect of this Part of this Act as may be prescribed.
- (2) Where the local authority are satisfied, after considering any representations made in pursuance of subsection (1) of this section, that the dwelling satisfies the qualifying conditions, they shall issue to the applicant a qualification certificate, but if they are

not so satisfied they shall give notice to the applicant of their refusal of his application; and they shall send a copy of the certificate or of the notice to the tenant.

#### **46 Procedure on applications under section 44(2)**

- (1) Subject to subsection (5) of this section, where an application for a qualification certificate in respect of any dwelling is made under section 44(2) of this Act and it appears to the local authority that the dwelling will satisfy the qualifying conditions when the works specified in the application have been carried out, the local authority shall approve the application provisionally and shall issue to the applicant a certificate of provisional approval and send a copy thereof to the tenant.
- (2) The provisions of Part I of Schedule 2 to this Act shall have effect for enabling a person who has obtained a certificate of provisional approval to apply for a certificate of fair rent.
- (3) On the production by the applicant of a certificate of fair rent and on being satisfied that the dwelling satisfies the qualifying conditions the local authority shall issue the qualification certificate and shall send a copy of it to the tenant.
- (4) If at the time the qualification certificate is issued the state of the dwelling differs in any respect from that which, at the time the application for the certificate was made, it could be expected to be in when the works specified in the application had been carried out, the local authority shall specify the differences in the certificate.
- (5) In the case mentioned in section 43(3) of this Act the local authority shall not issue a certificate of provisional approval but shall, notwithstanding that the application is made under section 44(2) of this Act, issue the qualification certificate as soon as they are satisfied that the dwelling satisfies the qualifying conditions and send a copy of the certificate to the tenant.

#### **47 Registration of rent after issue of qualification certificate**

- (1) Where a controlled tenancy of a dwelling has become a regulated tenancy by virtue of this Part of this Act an application by the landlord for the first registration of a rent for the dwelling under Part IV of the Rent Act 1968 must be accompanied by a copy of the qualification certificate and, if the certificate was issued under section 46(3) of this Act, also by a copy of the certificate of fair rent.
- (2) Part II of Schedule 2 to this Act shall have effect, in lieu of Schedule 6 to the Rent Act 1968, with respect to an application made in pursuance of this section in a case where a qualification certificate has been issued under section 46(3) of this Act.

#### **48 Statement of reasons for refusing certificate**

Where, on an application for a qualification certificate, a local authority refuse to issue the certificate or to issue a certificate of provisional approval, they shall give the applicant a written statement of their reasons for the refusal.

#### **49 Appeal in certain cases against issue or refusal of qualification certificate**

- (1) Within twenty-eight days of the service on him under section 45(2) of this Act of a notice of refusal or such longer period as the county court may allow the applicant for a qualification certificate may appeal to the county court on the ground that the

certificate ought to be issued; and on such an appeal the court may confirm the refusal or order the local authority to issue the certificate.

- (2) Within twenty-eight days of the service on him under section 45(2) of this Act of a copy of a qualification certificate or such longer period as the county court may allow the tenant may appeal to the county court on either or both of the following grounds, that is to say—
- (a) that the certificate ought not to have been issued;
  - (b) that the certificate is invalid by reason of a failure to comply with any requirement of this Part of this Act or of some informality, defect, or error;
- and on any such appeal the court may confirm or quash the certificate, but if the appeal is on the ground mentioned in paragraph (b) of this subsection the court shall confirm the certificate unless satisfied that the interests of the appellant have been substantially prejudiced by the facts relied on by him.
- (3) The following provisions shall apply on an appeal under this section, that is to say—
- (a) the court shall have regard to the state of the dwelling at the time of the hearing as well as at the time of the issue or refusal of the certificate; and
  - (b) the court shall make no order for costs unless it appears to the court, having regard to the conduct of the parties and all other circumstances, that it would be equitable to do so.
- (4) Any certificate issued in pursuance of an order made under subsection (1) of this section shall be deemed to be issued on the date of the order.
- (5) Where a qualification certificate with respect to any dwelling is quashed by an order under this section after a rent for the dwelling has been registered in pursuance of this Part of this Act the registration shall be deemed never to have had effect and the rent officer shall delete it on being informed of the order.

## **50 Postponement in certain cases of effect of qualification certificate**

- (1) Where a qualification certificate with respect to a dwelling is issued under section 45(2) of this Act before the date applicable to the dwelling under the following provisions of this section, the controlled tenancy of the dwelling shall not become a regulated tenancy by virtue of this Part of this Act until that date ; and in those provisions " value " means the rateable value on the appropriate day as ascertained for the purposes of Part I of the Rent Act 1968.
- (2) Subject to subsection (3) of this section—
- (a) 1st January 1971 is the date applicable to a dwelling in Greater London of a value of £90 or more and a dwelling elsewhere of a value of £60 or more ;
  - (b) 1st July 1971 is the date applicable to a dwelling in Greater London of a value of less than £90 but not less than £60 and a dwelling elsewhere of a value of less than £60 but not less than £40;
  - (c) 1st January 1972 is the date applicable to a dwelling in Greater London of a value of less than £60 and a dwelling elsewhere of a value of less than £40.
- (3) The Minister may by order substitute as the date applicable to a dwelling of such value as may be specified in the order a date earlier than that which would be applicable to it under subsection (2) of this section; and an order under this section may make different provision with respect to different registration areas.

## **51 Modification of Rent Act 1968 in relation to tenancies converted under this Part of this Act**

- (1) Where an application for a qualification certificate has been made with respect to any dwelling any notice of increase under Part V of the Rent Act 1968 which is served after the date of the application shall be void so far as it relates to an increase authorised by section 56 of that Act (improvements) unless—
  - (a) the application was made under section 44(1) of this Act and the notice is served before the date applicable to the dwelling under section 50 of this Act; or
  - (b) the application has been withdrawn ; or
  - (c) the certificate has been refused and either the time for appealing against the refusal has expired or the refusal has been confirmed on appeal or the appeal has been abandoned; or
  - (d) the certificate has been quashed on appeal.
- (2) Where a controlled tenancy becomes a regulated tenancy by virtue of this Part of this Act—
  - (a) it shall be disregarded for the purposes of section 20(3)(a) of the Rent Act 1968 (limit of rent during contractual periods);
  - (b) sections 22 to 24 of that Act (limit of rent during statutory periods) shall have effect in relation to the tenancy as if references therein to the last contractual period were references to the last rental period beginning before the tenancy becomes a regulated tenancy; and
  - (c) sections 21(5) and 25(1) of that Act (effect of improvements on limit of rent before registration) shall not apply to any improvement effected before the tenancy becomes a regulated tenancy.

## **52 Recovery of rent increases due to provisions of this Part of this Act, etc.**

Schedule 3 to this Act shall have effect for securing that where an increase in the rent payable under a regulated tenancy results from this Part of this Act or from works carried out with assistance provided under Part I of this Act it may be recovered only in such stages as are permitted under that Schedule.

### *Miscellaneous and supplementary provisions*

## **53 Modification of Rent Act 1968 in relation to improvements assisted under Part I of this Act**

Sections 21(5) and 25(1) of the Rent Act 1968 (effect of improvements on limit of rent before registration) shall not apply to any improvements with respect to which a grant under Part I of this Act is payable or has been paid.

## **54 Consent of tenant**

- (1) Where a dwelling which is subject to a controlled tenancy does not satisfy the qualifying conditions, and the works required for those conditions to be satisfied cannot be carried out without the consent of the tenant, then, if those works are specified in an application for a certificate of fair rent, his consent shall be of no effect unless given or confirmed in writing after the issue of the certificate.

- (2) Where a dwelling which is subject to a statutory tenancy (whether a controlled or a regulated tenancy) does not satisfy the qualifying conditions and the works required for those conditions to be satisfied cannot be carried out without the consent of the tenant but the tenant is unwilling to give or confirm his consent, then, if the conditions specified in subsection (3) of this section are satisfied, the county court may, on the application of the landlord, make an order empowering him to enter and carry out the works.
- (3) The said conditions are—
- (a) that the works were specified in an application for a certificate of fair rent and the certificate has been issued; and
  - (b) that, if the statutory tenancy is a regulated tenancy, the works were also specified in an application for a grant under Part I of this Act and the application has been approved; and
  - (c) that the court is not precluded from making the order by section 55 of this Act.
- (4) An order under subsection (2) of this section may be made subject to such conditions as to the time at which the works are to be carried out and as to any provision to be made for the accommodation of the tenant and his household whilst they are carried out as the court may think fit; and where such an order is made subject to any condition as to time, compliance with that condition shall be deemed to be also compliance with any condition imposed by the local authority under section 4(4) or section 10 of this Act.
- (5) In determining whether to make such an order and, if it is made, subject to what, if any, conditions, the court shall have regard to all the circumstances and, in particular, to any disadvantage to the tenant that might be expected to result from the works, the accommodation that might be available for him whilst the works are carried out, his means in relation to the increase of rent that would result and the stages in which that increase would become recoverable under the provisions of this Part of this Act.

## **55 Restriction on powers of court under section 54**

- (1) On an application under section 54(2) of this Act with respect to any dwelling the court shall not make an order empowering the landlord to enter and carry out any works if, not earlier than six months before the hearing, the rating authority for the area in which the dwelling is situated have certified that the tenant's income is within the limits for rate relief.
- (2) The rating authority shall, on the application of the tenant, certify that his means are within the limits for rate relief if—
- (a) he has been granted a rate rebate under section 49 of the General Rate Act 1967 for the rebate period in which his application for the certificate is made ; or
  - (b) he would, on an application duly made, be entitled to such a rebate for that period or would be so entitled but for section 16(2) of the Ministry of Social Security Act 1966; or
  - (c) his reckonable rates for that period do not exceed £3 15s. 0d. and his reckonable income does not exceed the appropriate limit;

and for the purposes of this subsection a person's reckonable rates for any period and the question whether his reckonable income exceeds the appropriate limit shall be determined as on an application for a rate rebate.



- (3) An application for a certificate under this section must state the name and address of the landlord; and if on such an application the rating authority issue a certificate they shall send a copy of it to the person named in the application in pursuance of this subsection.
- (4) For the purposes of any proceedings under section 54(2) of this Act any document purporting to be a certificate issued by a rating authority under this section and to be signed by the clerk to that authority shall be deemed to be such a certificate unless the contrary is proved.
- (5) Any person who, for the purpose of obtaining such a certificate—
  - (a) furnishes any information which he knows to be false in a material particular;  
or
  - (b) withholds any material information ;shall be liable on summary conviction to a fine not exceeding £20.

## **56 Supplemental**

- (1) The power to make regulations under section 50 of the Rent Act 1968 for the purposes of Part IV of that Act shall extend to this Part of this Act and the power to modify by such regulations the provisions of Schedules 6 and 7 to that Act shall extend to the provisions of Schedule 2 to this Act.
- (2) The power of the Lord Chancellor under section 106 of the Rent Act 1968 to make rules and give directions for the purpose of giving effect to the provisions specified in subsection (3) of that section shall extend to sections 49 and 54 of this Act.

## **57 Interpretation**

In this Part of this Act—

- " local authority " has the same meaning as in Part I of this Act;
- " qualification certificate " and " qualifying conditions " have the meanings assigned to them by section 43(5) of this Act;
- " registration area " means a registration area for the purposes of Part IV of the Rent Act 1968 ; and other expressions shall be construed as in the Rent Act 1968.

# **PART IV**

## **HOUSES IN MULTIPLE OCCUPATION**

### **58 New definition of houses in multiple occupation**

- (1) Any statutory provision referring (in whatever terms) to a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family shall have effect as if it referred to a house which is occupied by persons who do not form a single household.
- (2) In this section " statutory provision " means any provision contained in an Act of Parliament or in any order or other instrument made under an Act of Parliament.

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- (3) In accordance with the preceding provisions of this section, the enactments mentioned in Part I of Schedule 8 to this Act shall have effect subject to the amendments specified in that Part; and the Minister may by order make similar amendments in any local Act or Act confirming a provisional order which was passed before the commencement of this Act.

## **59 Orders applying management code**

- (1) Subsection (2) of section 12 of the Housing Act 1961 (which requires a local authority to serve notice of intention to make an order applying the management code to a house) shall cease to have effect.
- (2) In subsection (4) of that section (right of appeal) for the words from " within " to " served " there shall be substituted the words " within twenty-one days from the service or such longer period as the local authority may in writing allow ".
- (3) In subsection (5) of that section (improvements between service of the notice and making of the order) for the words from " at the time when " to " time of the making of the order " there shall be substituted the words " at the time of the making of the order as well as at the time the appeal was instituted ".

## **60 Means of escape from fire**

- (1) If it appears to a local authority—
- (a) that a house which is occupied by persons who do not form a single household is not provided with such means of escape from fire as the local authority consider necessary; and
  - (b) that it would not be practicable to provide it with such means at reasonable expense ;
- but that, if part of the house were not used for human habitation.—
- (i) the means of escape from fire with which the house is provided would be adequate ; or
  - (ii) adequate means of escape from fire could be provided at reasonable expense;
- the local authority may secure that that part is not used for human habitation and, in the case mentioned in paragraph (ii) of this subsection, serve a notice under section 16 of the Housing Act 1961 requiring the execution of such works as are in the opinion of the local authority required to provide such means of escape from fire as will be necessary if that part of the house is not used for human habitation.
- (2) For the purpose of securing that a part of the house is not used for human habitation the local authority may, if after consultation with any owner or mortgagee they think fit to do so, accept an undertaking from him that that part will not be used for human habitation without the permission of the local authority.
- (3) Any person who, knowing that an undertaking has been accepted under subsection (2) of this section, uses the part of the house to which the undertaking relates in contravention of the undertaking, or permits that part of the house to be so used, shall be guilty of an offence and liable on summary conviction to a fine not exceeding £20 and to a further fine of £5 for every day, or part of a day, on which he so uses it or permits it to be so used after conviction.

- (4) If the local authority do not accept an undertaking under subsection (2) of this section with respect to a part of the house, or if, in a case where they have accepted such an undertaking, that part of the house is at any time used in contravention of the undertaking, the local authority may make a closing order with respect to that part of the house.
- (5) A local authority who are not, under the Fire Services Act 1947, the fire authority for the area in which the house is situated, or who have, under section 12 of that Act, delegated all their functions in respect of that area to another fire authority, shall, before making a closing order under this section or accepting an undertaking under subsection (2) thereof, consult with the fire authority concerned.
- (6) Part II of the Act of 1957 shall apply to a closing order made under this section as it applies to a closing order under section 18(1) of that Act, but the ground on which, under section 27(2) of that Act, the local authority are required to determine the order shall be that they are satisfied that the means of escape from fire with which the house is provided would be adequate (owing to a change of circumstances) even if the part of the house with respect to which the order was made were used for human habitation.
- (7) Nothing in the Rent Act 1968 shall prevent possession being obtained of any part of a house which, in accordance with such an undertaking as is mentioned in subsection (2) of this section, cannot for the time being be used for human habitation.

## **61 Offences and penalties**

- (1) Any obligation to execute works in pursuance of a notice served under section 14, 15 or 16 of the Housing Act 1961 shall continue notwithstanding that the period specified in the notice (with any extension permitted by the authority) or the period specified in relation to an appeal by section 65(5) of the Housing Act 1964 has expired; and a person shall be guilty of an offence if he wilfully fails to comply with that obligation after being convicted under section 65 of the Housing Act 1964 of failing to comply with the notice or after being convicted under this section of failing to comply with the obligation.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £100.
- (3) Where an offence under this section committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (4) The preceding provisions of this section shall be without prejudice to the exercise by the local authority of their powers of carrying out the works under section 18 of the Housing Act 1961.
- (5) Section 159 of the Act of 1957 (powers of entry) shall apply for the purpose of ascertaining whether there has been an offence under this section but so much of that section as requires notice to be given of the intended entry shall not apply; and that purpose shall be deemed to be among those mentioned in section 68(1)(b) of the Housing Act 1964 (warrant to authorise entry).

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- (6) Sections 19(11)(a) and 20(1)(a) of the Housing Act 1961 (penalty on first conviction of an offence of failing to comply with a direction or notice against overcrowding) shall each have effect, with respect to offences committed after the commencement of this Act, as if for the words " twenty pounds " there were substituted the words " one hundred pounds ".

## **62 Directions to prevent or reduce overcrowding in houses in multiple occupation**

- (1) In section 19 of the Housing Act 1961 (directions to prevent or reduce overcrowding in houses in multiple occupation)—
- (a) in subsection (1), for the words " the highest number of individuals " there shall be substituted the words " the highest number of individuals or households or both " and for the words " live in the house " the words " occupy the house " ; and
  - (b) for paragraphs (a) and (b) of subsection (2) there shall be substituted the words " not to permit the number of individuals or households occupying the house to increase to a number above the limit specified in the direction and, if it is for the time being above that number, not to permit it to increase further ".
- (2) In subsection (3) of section 67 of the Housing Act 1964 (which allows a number specified in a notice under that section, or a number determined by reference to it, to be adopted in fixing a limit under section 19(1) of the Housing Act 1961) the words between " adopt that number " and " in fixing a limit " shall be omitted.

## **63 Control order followed by compulsory purchase order**

- (1) The following provisions of this section shall have effect where a local authority have made a control order (that is to say an order under section 73 of the Housing Act 1964) with respect to a house and within twenty-eight days of the making of the order the authority make a compulsory purchase order for the acquisition of the house under Part V of the Act of 1957.
- (2) The local authority need not prepare a scheme under section 79 of the Housing Act 1964 or serve a copy of such a scheme in pursuance of that section until they are notified by the Minister of his decision to confirm or not to confirm the compulsory purchase order; and the time within which copies of the scheme are to be served under that section shall be—
- (a) if the Minister's decision is not to confirm the compulsory purchase order, eight weeks from the date on which the Minister's decision is notified to the authority;
  - (b) if the Minister's decision is to confirm the compulsory purchase order, eight weeks from the time at which the compulsory purchase order becomes operative.
- (3) Where the compulsory purchase order is confirmed by the Minister and the local authority—
- (a) enter into a contract to purchase the house, or
  - (b) in pursuance of a notice served under section 11 of the Compulsory Purchase Act 1965, either enter and take possession of the house or serve a notice under section 98 of the Act of 1957 authorising a person in occupation of the house or part of the house to continue in occupation,

the control order shall cease to have effect on the date when the contract is made or the notice under section 11 is served.

- (4) Where a control order ceases to have effect by virtue of subsection (3) of this section the local authority shall, subject to the following provisions of this section, be liable to pay to the dispossessed proprietor the balances which, since the coming into force of the control order, from time to time accrued to the local authority out of the net amount of the rent and other payments received by them while the control order was in force from persons occupying the house, after deducting—
  - (a) compensation payable by the local authority under section 78 and section 81 of the Housing Act 1964 ; and
  - (b) all expenditure, other than capital expenditure, incurred by the local authority in respect of the house while the control order was in force, together with the appropriate establishment charges.
- (5) For the purpose of enabling the local authority to recover, under the following provisions of this section, capital expenditure incurred in carrying out works in the house in the period before the control order ceases to have effect, the local authority may, by a notice served on the dispossessed proprietor, specify those works as being works which, if the control order had not been in force, the local authority could have required some person to carry out under Part II of the Housing Act 1961, or under any other enactment relating to housing or public health, and which could not be postponed because they were urgently required for the sake of the safety, welfare or health of persons living in the house or other persons.
- (6) Where a notice under the preceding subsection is served on the proprietor he may within twenty-one days of the service of the notice or such longer period as the local authority may in writing allow appeal to the county court; and on any such appeal the court may confirm, quash or vary the notice.
- (7) Any expenditure reasonably incurred by the local authority in carrying out the works specified in a notice under subsection (5) of this section (or specified in such a notice as varied by the court) may be deducted by the local authority from the balances which they are, under subsection (4) of this section, liable to pay to the dispossessed proprietor; and so far as that expenditure exceeds those balances it may, if the house is purchased compulsorily, be deducted from the amount payable as compensation, and accordingly any interest payable on that amount shall be calculated after allowing for the deduction.
- (8) A local authority shall give notice to the dispossessed proprietor of the balances which they propose to pay to him under subsection (4) of this section and he may, within twenty-one days of the service of the notice or such longer period as the local authority may in writing allow, appeal to the county court; and on any such appeal the county court, if of opinion that those balances are unduly low for any reason within the control of the local authority, having regard to the desirability of observing the standards of management contained in regulations made under section 13 of the Housing Act 1961, and to the other standards which the local authority ought to observe as to the number of persons living in the house and the rents which they ought to charge, the court shall direct that, for the purposes of the local authority's liability to the dispossessed proprietor under this section, the balances under subsection (4) thereof shall be deemed to be such greater sums as the court may direct, but those sums shall not exceed the amount which, in the opinion of the court, the dispossessed proprietor may have lost by the making of the control order.

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- (9) If different persons are dispossessed proprietors in relation to different parts of the house, sums payable under this section by the local authority shall be apportioned between them in the manner provided by section 78(6) of the Housing Act 1964.
- (10) Any notice served on any person under subsection (5) or subsection (8) of this section shall inform him of his right of appeal under this section.
- (11) Section 91 of the Housing Act 1964 (interpretation and construction of Part IV) shall apply as if this section were contained in Part IV of that Act.

#### **64 Registers of houses in multiple occupation**

- (1) A scheme under section 22 of the Housing Act 1961 may be so made or amended as to contain provisions, either in lieu of or in addition to the provisions authorised by that section, for preventing, subject to subsection (3) of this section, multiple occupation of a house to an extent greater than that mentioned in that subsection unless the house is registered in pursuance of those provisions and the number of households or persons occupying it does not exceed the number so registered for that house ; and such provisions may prohibit persons from permitting others to take up residence in a house or part of a house but shall not prohibit any person from taking up or remaining in residence.
- (2) In the following provisions of this section such provisions of a scheme as are authorised by subsection (1) of this section are referred to as control provisions.
- (3) Control provisions shall not affect the continued occupation of a house by the number of households or persons occupying it at the time the provisions come into force and shall not affect any occupation of a house which is such that—
  - (a) the persons occupying the house form two households; or
  - (b) apart from one household (if any) the house is occupied by not more than four persons.
- (4) Control provisions may enable the local authority—
  - (a) to refuse to register or to vary the registration of a house on the ground that the house is unsuitable and incapable of being made suitable for such occupation as would be permitted by virtue of the registration or variation;
  - (b) to refuse to register a house on the ground that the person having control of the house, or the person intended to be the person managing the house, is not a fit and proper person ; and
  - (c) to require, as a condition of registering or of varying the registration of a house, that such works are executed as will make the house suitable for such occupation as will be permitted by virtue of the registration or variation.
- (5) Control provisions shall provide that, where the local authority refuse to register or to vary the registration of a house or require the execution of any works as a condition of doing so, they shall give the applicant a written statement of their reasons for doing so.
- (6) Where a local authority notify a person who has applied for the registration or the variation of a registration of a house in pursuance of control provisions that they refuse to register the house or vary the registration in accordance with his application or that they require the execution of any works as a condition of doing so, he may, within twenty-one days of being so notified or such longer period as the local authority may in writing allow, appeal to the county court, and on such an appeal the county court

may confirm, reverse or vary the decision of the authority ; and where the decision of the authority was a refusal to register or vary the registration of a house, the county court may direct them to register or vary the registration either in accordance with the application as made or in accordance with that application as varied in such manner as the county court may direct.

For the purposes of this subsection, where a local authority fail to register or vary the registration of a house within a period of five weeks after receiving an application therefor or such longer period as may be agreed in writing between the authority and the applicant they shall be deemed to have refused the application and to have notified him of their refusal at the end of that period.

- (7) Any person contravening or failing to comply with any provision of a scheme under section 22 of the Housing Act 1961 shall be guilty of an offence and liable on summary conviction—
- (a) if the offence is a contravention of so much of the control provisions as relates to occupation, to a greater extent than permitted thereunder, of a house not registered in pursuance of those provisions, to a fine not exceeding £100 or, if the offence is committed by a person previously convicted of an offence consisting of a contravention of the control provisions, to imprisonment for a term not exceeding three months or a fine not exceeding £100 or both;
  - (b) if it is a contravention of so much of the control provisions as relates to the occupation of a house registered in pursuance of those provisions by more households or persons than the registration permits, to a fine not exceeding £100;
  - (c) in any other case to a fine not exceeding £10.
- (8) In section 22(10) of the Housing Act 1961 for the words from " and without proof " to the end there shall be substituted the words " and the production of any document purporting to be a copy of an entry in any register kept under the scheme and to be certified as a true copy by the clerk of the authority shall be prima facie evidence of the entry, without, in either case, proof of the handwriting or official position of the person by whom it purports to be signed ".

## PART V

### PAYMENTS IN RESPECT OF UNFIT HOUSES PURCHASED OR DEMOLISHED, ETC.

#### **65 Extension of payments for well maintained houses**

- (1) In subsection (2) of section 30 of the Act of 1957 (which includes certain closing orders among the circumstances which may lead to the making of payments for well maintained houses purchased at site value) the words " the proviso to subsection (1) of " shall be omitted and at the end of the subsection there shall be added the words " and shall also apply where a compulsory purchase may be authorised under section 12(1) of this Act, but with the modification that the period during which representations may be made under subsection (1) of this section shall end three months after notice of a compulsory purchase order is served in accordance with paragraph 3(1)(b) of Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946 and Schedule 1 to this Act. "

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- (2) In subsection (3)(a) of that section after the words " in pursuance of the notice " there shall be inserted the words " or under section 12 of this Act ".

**66 Amendments with respect to amount of payments made for well maintained houses**

- (1) Part I of Schedule 2 to the Act of 1957 (ascertainment of amount payable for well maintained houses) shall have effect as set out in Schedule 4 to this Act.
- (2) Subsection (1) of this section applies in relation to any payment made under section 30 or section 60 of the Act of 1957 in a case where the relevant date (within the meaning of paragraph 3 of that Part of the Schedule so set out) is later than 23rd April 1968.

**67 Payments in respect of partially well maintained houses or parts of buildings**

- (1) A house which, apart from this section, would not fall to be treated as well maintained for the purposes of sections 30 and 60 of the Act of 1957 (payments in respect of condemned houses which have been well maintained) shall be so treated if either the exterior or the interior of the house has been well maintained and—
- (a) in the case of section 30, the representation mentioned therein was made after the commencement of this Act; and
  - (b) in the case of section 60, the house is in an area which was declared a clearance area after the commencement of this Act or, where the section applies because of an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, the order was made after the commencement of this Act.
- (2) Where a house comprises more than one dwelling or is occupied partly for the purposes of a dwelling or dwellings and partly for other purposes, then—
- (a) for the purposes of the relevant provisions so far as they relate to the maintenance of the interior of a house; but
  - (b) not for the purposes of those provisions so far as they relate to the maintenance if the exterior of a house;
- the dwelling or each of the dwellings shall be deemed to be a house; and in this section " exterior ", in relation to such a house, includes any part of the house which is not included in the interior of a dwelling.
- (3) Where a closing order under section 18(1) of the Act of 1957 is made with respect to a part of a building which is used, or is suitable for use, as a dwelling and the interior of which is well maintained, section 30 of that Act and Part I of Schedule 2 to that Act shall apply in relation to that part as if it were a well maintained house and as if the closing order were a closing order under section 17 of that Act.
- (4) A payment under section 30 or section 60 of the Act of 1957 which is made by virtue of this section shall, instead of being the amount ascertained in accordance with Part I of Schedule 2 to that Act, be one-half of the amount so ascertained.
- (5) In this section " the relevant provisions " means this section and, so far as applicable by virtue of this section, sections 30 and 60 of the Act of 1957 and Part I of Schedule 2 to that Act.



**68 Payments to owner-occupiers and others in respect of unfit houses purchased or demolished**

- (1) The provisions of Schedule 5 to this Act shall have effect with respect to certain payments to be made in respect of owner-occupied houses in certain circumstances; and where a payment under that Schedule falls to be made with respect to a house no payment with respect thereto shall be made under paragraph 4 of Schedule 2 to the Act of 1957.
- (2) Part II of Schedule 2 to the Act of 1957 (payments to owner-occupiers and others in respect of unfit houses purchased or demolished) shall have effect, in the case of a house where—
- (a) the relevant proceedings leading to the purchase or vacation of the house were begun (within the meaning of paragraph 4(6) of that Schedule) after 23rd April 1968; or
  - (b) an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961 was made after that date declaring the house unfit for human habitation ;
- subject to the amendments specified in paragraphs 1, 2 and 4 of Schedule 6 to this Act and, in the case of a house where—
- (i) such an order as is mentioned in paragraph 6 (business premises) of the said Part II was made after the commencement of this Act or is treated (by virtue of paragraph 7(1) of that Part) as having then been made; or
  - (ii) such an order as is mentioned in paragraph (b) of this subsection was made after the commencement of this Act;
- also subject to the amendment specified in paragraph 3 of the said Schedule 6.

**69 Repayment of certain payments made under Act. of 1957 or this Act**

Where a payment in respect of a house has been made by a local authority under section 30 or 60 of the Act of 1957, Schedule 2 to that Act or Schedule 5 to this Act in connection with a demolition order, closing order or clearance order and, at any time after the commencement of this Act—

- (a) the demolition order is revoked under section 24 of the Act of 1957 ; or
- (b) the closing order is determined under section 27(2) of the Act of 1957 ; or
- (c) an order under section 24 of the Housing Act 1961 comes into operation excluding the house from the clearance area and modifying or revoking the clearance order accordingly;

then, if at that time the person to whom the payment was made is entitled to an interest in the house (within the meaning of Schedule 5 to this Act) he shall on demand repay the payment to the authority.

**PART VI**

MISCELLANEOUS AND SUPPLEMENTAL PROVISIONS

**70 Review of housing conditions by local authorities**

It shall be the duty of every local authority (within the meaning of the enactments mentioned in this section) to cause an inspection of their district to be made from time to time with a view to determining what action to take in the performance of

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their functions under Part II or III of the Act of 1957, Part II of the Housing Act 1961, section 20 or Part IV of the Housing Act 1964 or Part II of this Act, and for the purpose of carrying out that duty the authority and their officers shall comply with any directions the Minister may give and shall keep such records and supply him with such information as he may specify.

**71 Standard of fitness for human habitation**

In section 4(1) of the Act of 1957 (matters to be taken into account in determining unfitness for human habitation) the following shall be inserted after paragraph (c)—  
“(cc) internal arrangement”,  
and the word " storage " shall be omitted from paragraph (h).

**72 Power of local authority to require repair of houses**

In section 9 of the Act of 1957 (power to require repair of unfit house) the following subsection shall be inserted after subsection (1):—

“(1A) Where a local authority, upon consideration of an official representation, or a report from any of their officers, or other information in their possession, are satisfied that a house is in such state of disrepair that, although it is not unfit for human habitation, substantial repairs are required to bring it up to a reasonable standard, having regard to its age, character and locality, they may serve upon the person having control of the house a notice requiring him, within such reasonable time, not being less than twenty-one days, as may be specified in the notice, to execute the works specified in the notice, not being works of internal decorative repair.”

**73 Increase of fine under s. 170 of Housing Act 1957**

Section 170 of the Housing Act 1957 (power of local authority to require information as to ownership of premises) shall have effect, with respect to offences committed after the commencement of this Act, as if for the words " five pounds " there were substituted the words " fifty pounds ".

**74 Power of local authority to make advances repayable on maturity**

- (1) A local authority may, subject to such conditions as may be approved by the Minister, advance money to any person for the alteration, enlargement, repair or improvement of any dwelling, and the following provisions of this section shall apply with respect to an advance made under this section.
- (2) The principal of the advance, together with interest thereon, shall be secured by a mortgage of the borrower's interest in the dwelling, and the amount of the principal shall not exceed the value which, in accordance with a valuation duly made on behalf of the local authority, it is estimated that interest will bear when the alteration, enlargement, repair or improvement has been carried out.
- (3) The advance may be made by instalments from time to time as the works of alteration, enlargement, repair or improvement progress.
- (4) The advance shall be made on terms providing for the repayment of the principal at the end of a fixed period, with or without a provision allowing the authority to extend

that period, and with a provision for repayment on the happening of a specified event before the end of that period or extended period, and on such other terms as the local authority may think fit, having regard to all the circumstances.

- (5) While repayment of the principal of an advance made under this section is not required in accordance with the terms of the advance, the local authority may suspend, with respect to so much of any sum borrowed by them as is referable to the advance or with respect to any sum paid in respect of the advance out of their Consolidated Loans Fund, any periodical provision for repayment that may be required by any enactment or by any scheme (whether made under section 55 of the Local Government Act 1958 or under any local enactment) by which the Fund was established.
- (6) The power conferred on a local authority by the preceding provisions of this section is without prejudice to any power to advance money exercisable by the authority under any other enactment; but where money is advanced by a local authority under section 43 of the Housing (Financial Provisions) Act 1958 for the acquisition of a house or the conversion into houses of any building, no money shall, in connection therewith, be advanced under this section for the alteration, enlargement, repair or improvement of that house or any of those houses.
- (7) The local authorities for the purposes of this section are the councils of counties, boroughs, urban districts and rural districts and the Common Council of the City of London.

#### **75 Power of local authority to carry out works of improvement by agreement with and at expense of owner, etc.**

- (1) A local authority for the purposes of Part I of this Act may by agreement with any person having the requisite interest execute at his expense any work towards the cost of which a grant under Part I of this Act is payable or might be paid on an application duly made and approved and any further work which it is in their opinion necessary or desirable to execute together with it.
- (2) The works with respect to which an agreement may be made under subsection (1) of this section include, if the works are to be carried out in a general improvement area, any works—
  - (a) the carrying out of which will or might be assisted under section 32(1)(a) of this Act; or
  - (b) towards the cost of which an improvement grant might be made under Part I of this Act if that cost were not below the limit imposed by section 2(3) of this Act; or
  - (c) which are works of external repair (including decorative repair) or replacement not included in the definition of "improvement" in section 27 of this Act.
- (3) In this section "the requisite interest", in relation to any works, means an interest in every parcel of land on which the works are to be carried out which is either an estate in fee simple absolute in possession or a term of years absolute of which not less than five years remain unexpired.

#### **76 Amendment of Housing Act 1964 s. 43(3)**

In relation to the exercise by a local authority of their powers under Part II of the Housing Act 1964 in pursuance of any representations under section 19 of that Act

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which are made, or any preliminary notice under section 20 of that Act which is served, after the commencement of this Act, section 43(3) of that Act (which requires a water closet to be, if reasonably practicable, in and readily accessible from the dwelling) shall have effect as if for the words " and readily accessible from" there were substituted the words " and accessible from within ".

**77 Extension of powers under s. 14 of Housing Subsidies Act 1967 to contributions in respect of conversion or improvement of dwellings**

(1) Section 14 of the Housing Subsidies Act 1967 (power to reduce, discontinue or transfer subsidies in certain circumstances) shall have effect as if the payments specified in subsection (2) of this section were annual subsidies within the meaning of that section.

(2) The payments referred to in subsection (1) of this section are payments by the Minister under—

- (a) section 15, 19 or 31(3) of the Housing Act 1949 ;
- (b) section 9, 11 or 12 of the Housing (Financial Provisions) Act 1958;
- (c) section 13 of the House Purchase and Housing Act 1959;
- (d) section 17, 18, 19 or 21 of this Act;

and so much of any payment made by the Minister under section 37 of this Act as is referable to any expenditure incurred by a housing association and treated for the purposes of subsection (1) of that section as incurred by a local authority.

(3) In its application, by virtue of this section, to any payment referable to expenditure incurred by a housing association or development corporation in pursuance of arrangements made with a local authority under section 121 of the Act of 1957 or that section as applied by section 125 of that Act, section 14(5)(b) of the Housing Subsidies Act 1967 shall have effect as if those arrangements were included in the definition of " authorised arrangements " in section 21 of that Act and any dwelling improved in pursuance of the arrangements had been provided in pursuance thereof.

**78 Power to increase subsidy for option mortgages**

At the end of section 28 of the Housing Subsidies Act 1967 (aggregate amount of subsidy under Part II) there shall be added the following:—

“(3) The Minister of Housing and Local Government, the Secretary of State for Wales and the Secretary of State for Scotland acting jointly may, with the approval of the Treasury, by order made by statutory instrument provide that with respect to interest payable for any period beginning on or after such date as may be specified in the order the calculation required by subsection (1)(b) of this section shall be made as if such higher percentages as may be specified in the order were substituted respectively for the two per cent, mentioned in that subsection and the one and three-quarters per cent, mentioned in subsection (2) of this section.

(4) An order under this section—

- (a) may make different provision with respect to different cases or different classes of case and, in particular, with respect to repayment contracts providing for different rates of interest;
- (b) may except from its provisions repayment contracts providing for such rates of interest as may be specified in the order ; and

(c) may include provision enabling the Minister to determine a rate of interest as representative of the rate applicable at any time under repayment contracts of any description made with a qualifying lender during any period and relating to loans not subsidised under this Part of this Act and, if that rate is different from that then applicable under any repayment contract made with that lender during that period but relating to a loan so subsidised, to treat that contract for the purposes of this section as if the rate so determined were then applicable thereunder.

(5) The power to make an order under this section includes power to vary or revoke such an order by a subsequent order; but no such order shall be made unless a draft thereof has been laid before and approved by the Commons House of Parliament”.

## **79 Right to terminate period for which option notice has effect**

(1) In section 24(3) of the Housing Subsidies Act 1967 the following shall be inserted after paragraph (vi):—

“(vii) the taking effect of a notice under section 26A of this Act.”

(2) After section 26 of that Act there shall be inserted the following section:—

(1) Where an option notice has been given in respect of a loan the person or persons in whom the rights and obligations under the repayment contract are for the time being vested may by notice to the lender bring the period for which the option notice has effect to an end on 31st March of any year not earlier than 1973, but only if not less than five years have then elapsed since the date of the repayment contract.

(2) A notice under this section must be in writing and in such form as the Minister may direct and must be given not less than three months before the date on which it is to take effect.”

## **80 Long tenancies at a low rent**

(1) In determining whether a long tenancy is, or at any time before the commencement of this Act was.—

(a) a tenancy at a low rent within the meaning of the Rent Act 1968 or Part I of the Landlord and Tenant Act 1954; or

(b) a tenancy to which, by virtue of section 12(7) of the Act of 1920, the Rent Acts did not apply;

there shall be disregarded such part (if any) of the sums payable by the tenant as is expressed (in whatever terms) to be payable in respect of rates, services, repairs, maintenance, or insurance, unless it could not have been regarded by the parties as a part so payable.

(2) Nothing in this section shall affect the amount of any payment which a tenant is or was liable to make for any rental period beginning before the commencement of this Act.

(3) In this section—

" long tenancy " means a tenancy granted for a term certain exceeding twenty-one years, other than a tenancy which is, or may become, terminable before the end of that term by notice given to the tenant;

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" the Act of 1920 " means the Increase of Rent and Mortgage Interest (Restrictions) Act 1920 ; and

" the Rent Acts " means the Rent and Mortgage Interest Restrictions Acts 1920 to 1939.

## **81 Other long tenancies**

- (1) Where a tenancy is both a protected tenancy within the meaning of the Rent Act 1968 and a long tenancy within the meaning of Part I of the Landlord and Tenant Act 1954, then.—
  - (a) if the conditions specified in subsection (2) of this section are satisfied with respect to it, nothing in Part VII of the Rent Act 1968 (premiums &c.) or the enactments replaced by it shall apply or be deemed ever to have applied to the tenancy ;
  - (b) if any of those conditions are not satisfied with respect to it Schedule 7 to this Act shall apply and, if the tenancy was granted before the passing of this Act, be deemed always to have applied to it.
- (2) The conditions mentioned in subsection (1)(a) of this section are—
  - (a) that the tenancy is not, and cannot become, terminable within twenty years of the date when it was granted by notice given to the tenant; and
  - (b) that, unless the tenancy was granted before the passing of this Act or was granted in pursuance of Part I of the Leasehold Reform Act 1967, the sums payable by the tenant otherwise than in respect of rates, services, repairs, maintenance or insurance are not, under the terms of the tenancy, varied or liable to be varied within twenty years of the date when it was granted nor, thereafter, more than once in any twenty-one years; and
  - (c) that assignment or underletting of the whole of the premises comprised in the tenancy is not precluded by the terms of the tenancy and, if it is subject to any consent, there is neither a term excluding section 144 of the Law of Property Act 1925 (no payment in nature of fine) nor a term requiring in connection with a request for consent the making of an offer to surrender the tenancy.
- (3) Where the condition specified in subsection (2)(b) of this section would be satisfied with respect to a sub-tenancy but for a term providing for one variation, within twenty years of the date when the sub-tenancy was granted, of the sums payable by the sub-tenant, that condition shall be deemed to be satisfied notwithstanding that term, if it is satisfied with respect to a superior tenancy of the premises comprised in the sub-tenancy (or of those and other premises).
- (4) Nothing in this section shall affect the recovery, in pursuance of any judgment given or order or agreement made before 20th May 1969, of any amount which it was not lawful to receive under the law in force at the time it was received.
- (5) In this section and in Schedule 7 to this Act " grant" includes continuance and renewal and " premium" has the same meaning as in Part VII of the Rent Act 1968.

## **82 Price payable on enfranchisement of leasehold house**

The Leasehold Reform Act 1967 shall have effect, and be deemed always to have had effect, as if in section 9(1) (which provides for the price to be paid by a tenant on an enfranchisement under the Act to be calculated on certain assumptions, by reference to a sale of the reversion in the open market by a willing seller) there had been inserted

after the words " a willing seller " the words " (with the tenant and members of his family who reside in the house not buying or seeking to buy) ", and as if at the end of section 9(1) there were added the words " The reference in this subsection to members of the tenant's family shall be construed in accordance with section 7(7) of this Act ":

Provided that this section shall not have effect where the price has been determined (by agreement or otherwise) before the passing of this Act.

### **83 Amendment of Rent Act 1968 s. 46**

At the end of section 46 of the Rent Act 1968 (determination of fair rent) there shall be added the following subsection:—

“(4) In this section 'improvement' includes the replacement of any fixture or fitting.”

### *Supplemental*

### **84 Cost of acquisition involving periodical payments**

In ascertaining for the purposes of section 18, 21 or 37 of this Act the cost of acquiring an estate or interest in a case where periodical payments fall to be made in connection with the acquisition that cost shall be taken to include such sum as the Minister may determine to be the capital equivalent of those payments.

### **85 Orders and regulations**

- (1) Any order made by the Minister under any provision of this Act may be varied or revoked by a subsequent order made thereunder.
- (2) Any order made by the Minister under this Act and any regulations made under this Act shall be made by statutory instrument.
- (3) Any statutory instrument made under this Act, except one containing an order under section 22, 37, 50, 58 or 87 shall be subject to annulment in pursuance of a resolution of either House of Parliament.

### **86 Interpretation**

- (1) In this Act—
  - " the Act of 1957 " means the Housing Act 1957 ;
  - " housing association " has the meaning assigned to it for the purposes of the Act of 1957 by section 189(1) of that Act;
  - " land " includes any estate or interest in land ;
  - " the Minister ", except where it means the Secretary of State, means the Minister of Housing and Local Government and, in the application to Wales and Monmouthshire of any provision other than sections 18(3), 18(4), 21(5), 21(6) and 22 and other than the definition of " prescribed " in section 27 as it relates to section 2(3), 4(2), 5(2) or 6(4), means the Secretary of State;
  - " standard amenities " has the meaning assigned to it by section 7 of this Act.
- (2) For the purposes of this Act a person is a member of another's family if that person is—

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- (a) the other's wife or husband ; or
- (b) a son or daughter or a son-in-law or daughter-in-law of the other, or of the other's wife or husband; or
- (c) the father or mother of the other, or of the other's wife or husband.

In paragraph (b) of this subsection any reference to a person's son or daughter includes a reference to any step-son or stepdaughter, any illegitimate son or daughter, and any adopted son or daughter of that person, and " son-in-law " and " daughter-in-law " shall be construed accordingly.

- (3) Section 4 of the Act of 1957 (standard of fitness for human habitation) shall apply for the purposes of this Act.
- (4) For the purposes of this Act the cost of any works shall be taken to include the cost of the employment in connection with the works of an architect, engineer, surveyor, land-agent or other person in an advisory or supervisory capacity.
- (5) For the purposes of this Act the annual loan charges referable to any amount shall be, subject to sections 21(7) and 37(7) of this Act, the annual sum that, in the opinion of the Minister, would fall to be provided by a housing authority for the payment of interest on, and the repayment of, a loan of that amount repayable over a period of twenty years.
- (6) References in this Act to any enactment shall be construed, except where the context otherwise requires, as references to that enactment as amended, and as including references thereto as applied, by any other enactment, including any enactment contained in this Act.

## **87 Application to Stilly Isles**

Section 115 of the Rent Act 1968 (application to Isles of Scilly) shall have effect as if the reference therein to Part IV of that Act included a reference to Part III of this Act; and the other provisions of this Act shall have effect, in their application to the Isles of Scilly, subject to such exceptions, adaptations and modifications as the Minister may by order direct.

## **88 Power to repeal or amend local Acts**

- (1) The Minister may by order repeal or amend any provision in any local Act passed before this Act where it appears to him that the provision is inconsistent with, or has become unnecessary, in consequence of any provision of Part I, Part II or section 64 of this Act.
- (2) Before making an order under this section the Minister shall consult with any local authority which appears to him to be concerned.
- (3) An order under this section may contain such transitional, supplementary or incidental provisions as appear to the Minister to be expedient.

## **89 Minor and consequential amendments, repeals and savings**

- (1) The enactments mentioned in Schedule 8 to this Act shall have effect subject to the minor and consequential amendments specified therein.



- (2) The transitional provisions and savings contained in Schedule 9 to this Act shall have effect.
- (3) Subject to the savings contained in Schedule 9 to this Act, the enactments mentioned in Schedule 10 to this Act are hereby repealed to the extent specified in the third column of that Schedule.

## **90 Expenses**

Any expenses of the Minister under this Act and any expenses of the Minister under any other enactment which are attributable to the provisions of this Act shall be defrayed out of moneys provided by Parliament.

## **91 Citation, construction, commencement and extent**

- (1) This Act may be cited as the Housing Act 1969.
- (2) This Act, the Housing Acts 1957 to 1965 and the Housing Subsidies Act 1967 may be cited together as the Housing Acts 1957 to 1969.
- (3) Part IV of this Act shall be construed as one with the Act of 1957.
- (4) This Act, except sections 80 to 82, shall not come into force until the expiration of the period of one month beginning with the date on which it is passed.
- (5) This Act, except sections 78 and 79, does not extend to Scotland.
- (6) This Act does not extend to Northern Ireland.

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## SCHEDULES

### SCHEDULE 1

Sections 7, 11(3), 19(5).

#### STANDARD AMENITIES

#### PART I

##### TABLE OF STANDARD AMENITIES

<i>Item</i>	<i>Description</i>	<i>Amount allowed (subject to Part III of this Schedule)</i>
1.	A fixed bath or shower	£30
2.	A hot and cold water supply at a fixed bath or shower	£45
3.	A wash-hand basin	£10
4.	A hot and cold water supply at a wash-hand basin	£20
5.	A sink	£15
6.	A hot and cold water supply at a sink	£30
7.	A water closet	£50

#### PART II

##### PROVISIONS APPLICABLE TO CERTAIN AMENITIES

- 1 The fixed bath or shower must be in a bathroom, except in the case mentioned in paragraph 2 of this Schedule.
- 2 If it is not reasonably practicable for the fixed bath or shower to be in a bathroom but it is reasonably practicable for it to be provided with a hot and cold water supply it need not be in a bathroom but may be in any part of the dwelling which is not a bedroom.
- 3 The water closet must, if reasonably practicable, be in, and accessible from within, the dwelling or, if that is not reasonably practicable, in such a position in the curtilage of the dwelling or, where the dwelling is part of a larger building, in that building, as to be readily accessible from the dwelling.

### PART III

#### LIMIT ON AMOUNT OF STANDARD GRANT OR STANDARD CONTRIBUTION

- 4 The amount of—
- (a) a standard grant, or
  - (b) the allowable cost for the purposes of a standard contribution,
- shall not exceed £450 and shall not exceed the sum of the amounts allowable under the following provisions of this Schedule.
- 5 Subject to paragraph 10 of this Schedule, for each of the standard amenities provided there shall be allowed the amount specified for an amenity of that description in the third column of the Table set out in Part I of this Schedule or the amount substituted therefor under the following provisions of this Schedule.
- 6 (1) If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time there shall also be allowed an amount fixed, in the case of a standard grant, by the local authority and, in the case of a standard contribution, by the Minister.
- (2) The amount to be fixed under this paragraph shall be the amount which in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the bringing of the piped supply into the dwelling.
- 7 (1) If the works comprise the provision of a fixed bath or shower in a bathroom and the bathroom is being provided by the building of a new structure or the conversion of out-buildings attached or to be attached to the dwelling (or to the building of which the dwelling forms part) then, if before the application for the grant or contribution is approved the local authority have, or the Minister has, been satisfied that it is not reasonably practicable to provide the bathroom in any other way there shall be substituted as the amount allowed for that amenity an amount fixed by the local authority or Minister.
- (2) The amount to be fixed under this paragraph shall be such amount, higher than that specified in the Table set out in Part I of this Schedule, as in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the provision of the fixed bath or shower in a bathroom.
- 8 (1) If the works comprise the provision of a water closet and, in connection therewith, the installation of a septic tank or a cesspool then, if before the application for the grant or contribution is approved the local authority have or the Minister has been satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable there shall be substituted as the amount allowed for that amenity an amount fixed by the local authority or Minister.
- (2) The amount to be fixed under this paragraph shall be such amount, higher than that specified in the Table set out in Part I of this Schedule, as in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the provision of the water closet.
- 9 The amount to be fixed under paragraph 6, 7 or 8 of this Schedule shall be fixed by the local authority or Minister when approving the application for the grant or contribution; but if the applicant satisfies the local authority or Minister that the works by reference to the cost of which the amount is fixed cannot be or could

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not have been carried out without the carrying out of works in addition to those specified in the application, they or he may substitute a higher amount for that fixed under that paragraph.

- 10 An amount shall not be allowed for more than one amenity of the same description; and no amount shall be allowed for an amenity of any description if at the time the works were begun the dwelling was provided with an amenity of that description, except where the works involved interference with or replacement of that amenity and the local authority are or the Minister is satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

## SCHEDULE 2

Sections 46, 47.

### CERTIFICATES OF FAIR RENT AND REGISTRATION OF RENT FOR CONVERTED TENANCIES

#### PART I

##### APPLICATIONS FOR CERTIFICATES OF FAIR RENT BY LANDLORDS UNDER CONTROLLED TENANCIES

- 1 Where, on an application for a qualification certificate, a local authority have issued a certificate of provisional approval, the applicant may apply to the rent officer for a certificate of fair rent.
- 2 An application made under paragraph 1 of this Schedule must be accompanied by copies of the plans and specifications which accompanied the application for the qualification certificate and of the certificate of provisional approval.
- 3 A certificate of fair rent issued on an application under this Schedule shall specify the rent which would be a fair rent under the regulated tenancy that might arise by virtue of section 43 of this Act if the works shown in the plans and specifications were carried out.
- 4 Schedule 7 to the Rent Act 1968 shall have effect with respect to an application made under this Schedule as if—
- (a) paragraphs 1(c) and 3 were omitted ; and
  - (b) in paragraph 4(1) for the words from the beginning to " he shall serve " there were substituted the words " The rent officer shall serve " , and
  - (c) in paragraph 9 the words preceding sub-paragraph (a) were omitted.

#### PART II

##### APPLICATIONS FOR REGISTRATION

###### *Procedure on application to rent officer*

- 5 On receiving the application for registration the rent officer shall ascertain whether any differences are specified in the qualification certificate in accordance with section 46(4) of this Act.

- 6 If no differences are so specified and the application was made not later than three months after the issue of the qualification certificate, the rent officer shall register the rent in accordance with the certificate of fair rent.
- 7 In any other case he shall serve a notice on the tenant informing him of the application and specifying a period of not less than seven days from the service of the notice during which representations in writing may be made to the rent officer against the registration of the rent specified in the certificate.
- 8 Where no such representations are made then, unless it appears to the rent officer that the rent specified in the certificate of fair rent is higher than a fair rent, he shall register that rent and notify the landlord and tenant accordingly.
- 9 (1) Where representations are made as mentioned in paragraph 7 of this Schedule or the rent officer is of opinion that the rent specified in the certificate of fair rent is higher than a fair rent he shall serve notice on the landlord and on the tenant informing them that he proposes, at a time (which shall not be earlier than seven days after the service of the notice) and place specified in the notice to consider in consultation with the landlord and the tenant, or such of them as may appear at that time and place, what rent, not exceeding that specified in the certificate of fair rent, ought to be registered.
- (2) At any such consultation the landlord and tenant may each be represented by a person authorised by him in that behalf, whether or not that person is of counsel or a solicitor.
- 10 (1) The rent officer shall consider, in accordance with the preceding paragraph, what rent ought to be registered, and—
- (a) if, after considering it, he is of opinion that the rent specified in the certificate is not higher than a fair rent he shall register it; but
- (b) if, after considering it, he is of opinion that the rent so specified is higher than a fair rent he shall determine a fair rent and register that rent, as the rent for the dwelling, and shall give notice of the registration to the landlord and the tenant.
- (2) The notice shall state that if, within twenty-eight days of the service of the notice or such longer period as the rent officer or a rent assessment committee may allow, an objection in writing is received by the rent officer from the landlord or the tenant the matter will be referred to a rent assessment committee.
- 11 (1) If such an objection is received, then—
- (a) if it is received within the period of twenty-eight days mentioned in the preceding paragraph or a rent assessment committee so direct, the rent officer shall refer the matter to a rent assessment committee ;
- (b) if it is received after that period, the rent officer may either refer the matter to a rent assessment committee or seek the directions of a rent assessment committee whether so to refer it.
- (2) The rent officer shall indicate in the register whether the matter has been referred to a rent assessment committee in pursuance of this paragraph.

*Determination of fair rent by rent assessment committee*

- 12 The rent assessment committee to whom a matter is referred under paragraph 11 of this Schedule shall serve on the landlord and on the tenant a notice specifying a period of not less than fourteen days from the service of the notice during which

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either representations in writing or a request to make oral representations may be made by him to the committee.

13 Where, within the period specified under paragraph 12 of this Schedule or such further period as the committee may allow, the landlord or the tenant requests to make oral representations the committee shall give him an opportunity to be heard either in person or by a person authorised by him in that behalf, whether or not that person is of counsel or a solicitor.

14 (1) The committee shall make such inquiry, if any, as they think fit and consider any representation made to them in pursuance of the preceding paragraphs and—

- (a) if it appears to them that the rent registered by the rent officer has been rightly registered they shall confirm it;
- (b) in any other case they shall designate as the rent for the dwelling-house either the rent specified in the certificate of fair rent or such lower rent as appears to them to be a fair rent, as the case may require ;

and they shall notify the landlord, the tenant and the rent officer accordingly.

(2) On receiving the notification, the rent officer shall, as the case may require, either indicate in the register that the rent has been confirmed or register the rent designated by the committee as the rent for the dwelling.

### SCHEDULE 3

Section 52.

#### RESTRICTION ON RENT INCREASES

##### *Restriction on rent increases after first registration*

1 Where a rent for a dwelling which is subject to a regulated tenancy is registered under Part IV of the Rent Act 1968 and the registration is the first—

- (a) after the tenancy has become a regulated tenancy by virtue of Part III of this Act; or
- (b) after the completion, during the existence of the tenancy, of works towards the cost of which a grant was payable under Part I of this Act;

then if the rent payable under the tenancy for any statutory period beginning during the period of delay imposed by paragraph 2 of this Schedule is less than the rent so registered, it shall not be increased by a notice of increase under section 22(2) of the Rent Act 1968 except to the extent (if any) permitted under the following provisions of this Schedule ; and any such notice which purports to increase it further shall have effect to increase it to the extent so permitted but no further.

##### *Period of delay*

2 There shall be a period of delay with respect to any rent registered as mentioned in paragraph 1 of this Schedule, which shall be—

- (a) if the rent is registered as mentioned in sub-paragraph (a) of that paragraph, a period of four years ;
- (b) if the rent is registered as mentioned in sub-paragraph (b) of that paragraph, a period of two years ;

beginning with the date of registration.

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*Permitted increase*

- 3 (1) The rent may be increased to the aggregate of the following:—
- (a) the amount of the previous limit, calculated in accordance with paragraph 4 of this Schedule ;
  - (b) the amount (if any) apportioned to services in accordance with paragraph 5 of this Schedule ; and
  - (c) the appropriate proportion of the difference between the registered rent and the aggregate of the amounts specified in paragraphs (a) and (b) above.
- (2) The appropriate proportion mentioned in sub-paragraph (1)(c) of this paragraph shall be ascertained for any rental period in accordance with the following Table, in which the year of the period of delay in which the rental period begins is shown in the first column and the appropriate proportion in the second or third column, according as the period of delay imposed by paragraph 2 of this Schedule is two years or four years.

TABLE

<i>Year of period of delay</i>	<i>Appropriate Proportion</i>	
	<i>Where period of delay is two years</i>	<i>Where period of delay is four years</i>
1st year	one-third	one-fifth
2nd year	two-thirds	two-fifths
3rd year	—	three-fifths
4th year	—	four-fifths

- (3) Notwithstanding anything in the preceding provisions of this paragraph, the amount to which the rent may be increased for any rental period shall not in any case be less than seven shillings and sixpence a week above the following, that is to say—
- (a) if the rental period begins in the first year of the period of delay, the aggregate of the amounts specified in sub-paragraphs (1)(a) and (1)(b) of this paragraph ;
  - (b) if the rental period begins in a subsequent year, the amount to which the rent could be increased for a rental period beginning in the previous year ;
- but nothing in this paragraph shall be taken to enable the rent to be increased above the amount registered.

*Previous limit*

- 4 (1) For the purposes of this Schedule the previous limit of a rent shall be taken to be, subject to sub-paragraph (2) of this paragraph, the amount which at the date of registration was recoverable by way of the rent or would have been so recoverable if all notices of increase authorised by the Rent Act 1968 or by regulations under section 9 of the Prices and Incomes Act 1968 had been served.
- (2) Where the rent includes an amount payable in respect of rates, the amount so payable, ascertained in accordance with Schedule 4 to the Rent Act, 1968, shall be deducted from the amount specified in sub-paragraph (1) of this paragraph in calculating the previous limit of the rent.

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*Amount to be apportioned to services*

- 5 (1) Where the registered rent includes a payment in respect of services provided by the landlord or a superior landlord, then if—
- (a) the rent is not registered as a variable rent in accordance with section 47(4) of the Rent Act 1968 ; but
  - (b) not less than 10 per cent, of the amount of the registered rent is in the opinion of the rent officer or rent assessment committee fairly attributable to the provision of the services ;
- the amount so attributable shall be noted in the register.
- (2) Where it appears to the rent officer or rent assessment committee that some amount was in the previous limit attributable to the provision of services by the landlord or a superior landlord and was less than the amount noted in pursuance of sub-paragraph (1) of this paragraph, then—
- (a) if the amount so attributable can be ascertained the difference between it and the amount so noted shall be the amount apportioned to the services ;
  - (b) if the amount so attributable cannot be ascertained it shall be taken to be an amount bearing to the previous limit the same proportion as the amount noted in pursuance of sub-paragraph (1) of this paragraph bears to the amount of the registered rent, and the difference between the amount so taken and the amount so noted shall be the amount apportioned to the services ;
- and the amount apportioned to the services in accordance with this sub-paragraph shall also be noted in the register.
- (3) Where it appears to the rent officer or rent assessment committee that no amount was in the previous limit attributable to the provision of services by the landlord or a superior landlord, the amount noted in pursuance of sub-paragraph (1) of this paragraph shall be the amount apportioned to the services and shall be noted as such in the register.

*Restriction on rent increases in cases of further registration during period of delay*

- 6 (1) Where a rent (in this paragraph referred to as the first rent) for a dwelling which is subject to a regulated tenancy has been registered as mentioned in paragraph 1 of this Schedule and, in any year of the period of delay imposed by paragraph 2 of this Schedule, a new rent for the dwelling is registered under Part IV of the Rent Act 1968, then, if the new rent exceeds the rent for the time being recoverable under the regulated tenancy the following provisions of this paragraph shall apply and the preceding provisions of this Schedule shall not apply.
- (2) The rent for any statutory period beginning before the end of the period of delay shall not be increased by a notice of increase under section 22(2) of the Rent Act 1968 except to the extent permitted by the following provisions of this paragraph ; and any such notice which purports to increase it further shall have effect to increase it to the extent so permitted but no further.
- (3) If the new rent is less than the first rent the rent payable under the regulated tenancy may be increased (up to the amount registered) to the same extent as if the first rent had remained registered.
- (4) If the new rent exceeds the first rent the registration shall not affect the amount recoverable for any rental period beginning in the year mentioned in sub-paragraph (1) of this paragraph ; and the rent for any statutory period beginning after



that year may be increased to an amount arrived at by adding the difference between the first rent and the new rent to the amount to which the rent for that period could have been increased had the first rent remained registered.

#### *Successive tenancies*

7 Where a rent for a dwelling which is subject to a regulated tenancy is registered as mentioned in paragraph 1 of this Schedule and, during the period of delay imposed by paragraph 2 of this Schedule with respect to the rent, the tenant, or any person who might succeed him as a statutory tenant, becomes the tenant under a new regulated tenancy of the dwelling—

- (a) the rent limit for any contractual period of the new regulated tenancy beginning during that period of delay shall be the amount to which, if the first-mentioned tenancy had continued, the rent payable thereunder could have been increased in accordance with this Schedule for a statutory period beginning at the same time, and in relation to such a contractual period the reference in section 47(3) of the Rent Act 1968 to section 20(2) of that Act shall be construed as a reference to this paragraph ; and
- (b) in relation to any statutory period of the new tenancy beginning during that period of delay the preceding provisions of this Schedule shall have effect as if it were a statutory period of the first-mentioned tenancy.

8 Where—

- (a) a controlled tenancy of a dwelling becomes a regulated tenancy by virtue of Part III of this Act; or
- (b) a dwelling improved by works towards the cost of which a grant is payable under Part I of this Act is, at the time the works are completed, subject to a regulated tenancy ;

and the tenant, or any person who might succeed him as a statutory tenant, becomes the tenant under a new regulated tenancy of the dwelling, then, if during the continuance of the new regulated tenancy a rent for the dwelling is registered under Part IV of the Rent Act 1968 and the registration would be such a registration as is mentioned in paragraph 1 of this Schedule had the regulated tenancy mentioned in sub-paragraph (a) or (b) of this paragraph continued, paragraphs 1 to 6 of this Schedule shall apply as if it had continued, and paragraph 7(a) of this Schedule shall apply with the necessary modifications.

#### *Application to tenancies converted by order under s. 8 of Rent Act 1968*

9 Where a regulated tenancy of a dwelling has become a regulated tenancy by virtue of an order under section 8 of the Rent Act 1968 and a rent for the dwelling is registered as mentioned in paragraph 1(b) of this Schedule section 27 of that Act (restriction on rent increases) shall thereupon cease to apply to the tenancy.

#### *Supplemental*

10 In ascertaining for the purposes of this Schedule whether there is any difference between amounts or what that difference is such adjustments shall be made as may be necessary to take account of periods of different lengths ; and for that purpose a month shall be treated as one-twelfth and a week as one fifty-second of a year.

11 Where the rent specified in a certificate of fair rent includes a payment in respect of services provided by the landlord or a superior landlord and the amount which in

- the opinion of the rent officer or rent assessment committee is fairly attributable to the provision of the services is not less than ten per cent, of the amount of the rent then, if the application for the certificate is made in pursuance of section 46(2) of this Act or the applicant so requests the amount so attributable shall be noted in the certificate together with the amount to be entered in the register under paragraph 5 of this Schedule as the amount to be apportioned to the services.
- 12 Any amount to be noted in the register or in a certificate of fair rent in pursuance of paragraph 5 or paragraph 11 of this Schedule as an amount fairly attributable to the provision of services shall be included among the matters to be specified in an application for the registration or for the certificate and any such amount and any amount to be so noted as an amount apportioned or to be apportioned to the services shall be included among the matters with respect to which representations may be made or consultations are to be held or notices to be given under Schedule 6 or Schedule 7 to the Rent Act 1968 or Schedule 2 to this Act.
- 13 Where a rent designated or determined by a rent assessment committee is registered in substitution for a rent determined by the rent officer, the preceding provisions of this Schedule shall have effect as if only the rent designated or determined by the rent assessment committee had been registered ; but the date of registration shall be deemed for the purposes of this Schedule (but not for the purposes of section 22(3) of the Rent Act 1968) to be the date on which the rent determined by the rent officer was registered.

## SCHEDULE 4

Section 66.

### PART I OF SCHEDULE 2 TO THE HOUSING ACT 1957 AS IT HAS EFFECT BY VIRTUE OF SECTION 66 OF THIS ACT

#### PART I

##### ASCERTAINMENT OF AMOUNT PAYABLE FOR WELL MAINTAINED HOUSES

- 1 (1) Subject to the following provisions of this Part of this Schedule, the amount of any payment made in respect of a house under section 30 or section 60 of this Act shall be an amount equal to the rateable value of the house multiplied by four or such other multiplier as the Minister may by order made by statutory instrument prescribe.
- (2) The amount shall not in any case exceed the amount (if any) by which the full value of the house (that is to say the amount which would have been payable as compensation if it had been purchased compulsorily but not as being unfit for human habitation) exceeds the site value thereof (that is to say the amount which is payable as compensation by virtue of its being purchased compulsorily as being unfit for human habitation, or which would have been so payable if it had been so purchased); and any question as to such value shall be determined, in default of agreement, as if it had been a question of disputed compensation arising on such a purchase.
- (3) Where a payment falls to be made in respect of any interest in the house under Part II of this Schedule or under Schedule 5 to the Housing Act 1969, no payment shall be made in respect of that house under this Part of this Schedule unless the other payment relates to part only of the house, and in that case such part only of the amount which Would otherwise be payable in accordance with the preceding provisions of

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this Part of this Schedule shall be payable as may reasonably be attributed to the remainder of the house.

- 2 An order made by the Minister under this Part of this Schedule shall be of no effect unless it is approved by a resolution of each House of Parliament.
- 3 (1) For the purposes of this Part of this Schedule the rateable value of a house shall be determined as follows :—
- (a) if the house is a hereditament for which a rateable value is shown in the valuation list in force on the relevant date, it shall be that rateable value ;
  - (b) if the house forms part only of such a hereditament or consists of or forms part of more than one such hereditament, its rateable value shall be taken to be such value as is found by a proper apportionment or aggregation of the rateable value or values so shown.
- (2) Any question arising under this paragraph as to the proper apportionment or aggregation of any value or values shall be referred to and determined by the valuation officer (within the meaning of the General Rate Act 1967).
- (3) In this paragraph " the relevant date", in relation to any house, means—
- (a) if the house was vacated in pursuance of a demolition order or closing order or was declared unfit for human habitation by an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, the date when the order was made ;
  - (b) if the house was purchased compulsorily in pursuance of a notice served under section 19 of this Act, the date when the notice was served ;
  - (c) if the house was comprised in an area declared a clearance area, the date on which the area was so declared ;
  - (d) if the house was purchased compulsorily under section 12 of this Act, the date on which the notice mentioned in that section was served ;
  - (e) if the house might have been the subject of a demolition order but was, without the making of such an order, vacated and demolished in pursuance of an undertaking for its demolition given to the local authority, the date on which the undertaking was given.

## SCHEDULE 5

Section 68.

### PAYMENTS TO OWNER-OCCUPIERS AND OTHERS IN RESPECT OF UNFIT HOUSES PURCHASED OR DEMOLISHED

#### *Right to and amount of payments*

- 1 (1) Where a house has been purchased at site value in pursuance of a compulsory purchase order made by virtue of Part II or Part III of the Act of 1957 or in pursuance of an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, or has been vacated in pursuance of a demolition order under Part II of the Act of 1957, a closing order under section 17 of that Act or a clearance order, then, if—
- (a) the relevant date is later than 23rd April 1968 ; and
  - (b) on the relevant date and throughout the qualifying period the house was wholly or partly occupied as a private dwelling and the person so occupying it (or, if during that period it was so occupied by two or more persons in

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succession, each of those persons) was a person entitled to an interest in that house or a member of the family of a person so entitled ;

the authority concerned shall make in respect of that interest a payment of an amount determined in accordance with paragraphs 2 and 3 of this Schedule.

- (2) Where an interest in a house purchased or vacated as mentioned in sub-paragraph (1) of this paragraph was acquired by any person (in this sub-paragraph referred to as the first owner) after 23rd April 1968 and less than two years before the relevant date, and a payment under sub-paragraph (1) of this paragraph in respect of that interest would have fallen to be made by the authority concerned had the qualifying period been a period beginning with the acquisition and ending with the relevant date, the authority concerned shall make to the person who was entitled to the interest at the date the house was purchased or vacated a payment of the like amount, if—
    - (a) the authority are satisfied that before acquiring the interest the first owner had made all reasonable enquiries to ascertain whether it was likely that the order, notice or declaration by reference to which the relevant date is defined in paragraph 5(1) of this Schedule would be made or served within two years of the acquisition and that he had no reason to believe that it was likely ; and
    - (b) the person entitled to the interest at the date when the house was purchased or vacated was the first owner or a member of his family.
  - (3) Where during a part of the qualifying period amounting, or during parts thereof together amounting, to not more than one year a person previously in occupation of the whole or part of the house was not in occupation thereof by reason only of a posting in the course of his duties as a member of the armed forces of the Crown or of a change in the place of his employment or occupation he shall be deemed for the purposes of this paragraph to have continued in occupation during that part or those parts.
- 2 Subject to paragraph 3 of this Schedule, the amount of any payment made under the preceding paragraph in respect of an interest shall be an amount equal to its full compulsory purchase value less the compensation which was or would have been payable in respect of the interest in connection with the compulsory purchase of the house at site value.
- 3 (1) The amount which would otherwise be payable under paragraph 1 of this Schedule shall be reduced by such part, if any, of that amount as may reasonably be attributed to any part of the house occupied for any purposes other than those of a private dwelling at the date of the making of the compulsory purchase order, demolition order, closing order, clearance order or order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961.
- (2) Any question arising under this paragraph as to the purposes for which any part of a house was occupied shall be determined by the Minister, and subject thereto the amount of any payment under paragraph 1 of this Schedule in respect of an interest shall be determined (in default of agreement) as if it were compensation payable in respect of the compulsory purchase of the interest under Part III of the Act of 1957, and the payment shall, subject to sub-paragraph (3) of this paragraph, be dealt with as if it were such compensation.
  - (3) Any such payment in respect of an interest which, at the date when the house was purchased compulsorily or, as the case may be, vacated, was held by virtue of an agreement to purchase by instalments shall be made to the person entitled to the interest at that date.

*Provisions as to mortgages and other charges*

- 4 Paragraph 5 of Schedule 2 to the Act of 1957 (relief and adjustments) shall apply in relation to a payment under this Schedule as it applies in relation to a payment under paragraph 4 of that Schedule.

*Interpretation*

- 5 (1) In this Schedule, in relation to any house purchased or vacated, " the relevant date " and " the authority concerned " mean respectively—
- (a) if the house was vacated in pursuance of a demolition order or closing order, the date when and the authority by whom the order was made ;
  - (b) if the house was declared unfit for human habitation by an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, the date when the order was made and the acquiring authority within the meaning of that Act;
  - (c) if the house was purchased compulsorily under section 12 of the Act of 1957, the date when and the authority by whom the notice mentioned in that section was served ;
  - (d) if the house was purchased compulsorily in pursuance of a notice served under section 19 of the Act of 1957, the date when and the authority by whom the notice was served ;
  - (e) if the house was comprised in an area declared as a clearance area, the date when and the authority by whom the area was so declared;
- and " the qualifying period " means the period of two years ending with the relevant date, except that where that date is earlier than 22nd April 1970, it means the period beginning with 23rd April 1968 and ending with the relevant date.
- (2) In this Schedule—
- " full compulsory purchase value ", in relation to any interest in a house, means the compensation which would be payable in respect of the compulsory purchase of that interest if that compensation fell to be assessed in accordance with subsections (1) and (4) of section 59 of the Act of 1957 and, in the case of a house subject to a clearance order, demolition order or closing order, the making of that order were a service of the notice to treat;
- " house " includes any building constructed or adapted wholly or partly as, or for the purposes of, a dwelling;
- " interest " in a house does not include the interest of a tenant for a year or any less period or of a statutory tenant within the meaning of the Rent Act 1968;
- " site value", in relation to the compulsory purchase of a house, means compensation in respect thereof assessed in accordance with the provisions of section 59(2) of the Act of 1957 (or under the corresponding provisions applicable to any compulsory purchase under Part II of that Act).
- (3) For the purposes of this Schedule, a house which might have been the subject of a demolition order but which has, without the making of such an order, been vacated and demolished in pursuance of an undertaking for its demolition given to the local authority having power to make the order shall be deemed to have been vacated in pursuance of a demolition order made and served by that authority at the date when the undertaking was given.

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- (4) In this Schedule references to a demolition order do not include such an order in respect of a house already subject to a closing order so far as it affects any part of the house in relation to which a payment under section 30 of the Act of 1957, Schedule 2 to that Act or this Schedule has fallen to be made in respect of the closing order.
- (5) For the purposes of this Schedule a person who on the death of another became entitled to any interest of his shall be deemed to have been entitled to that interest as from the date of the death.

## SCHEDULE 6

Section 68.

### AMENDMENTS OF HOUSING ACT 1957, SCHEDULE 2 PART II

- 1 In paragraph 4(1)(b) the words "the proviso to subsection (1) of " shall be omitted.
- 2 For sub-paragraph (7) of paragraph 4 there shall be substituted the following—
- “(7) For the purposes of this paragraph a person is a member of another's family if that person is—
- (a) the other's wife or husband ; or
- (b) a son or daughter or a son-in-law or daughter-in-law of the other, or of the other's wife or husband ; or
- (c) the father or mother of the other, or of the other's wife or husband.
- In paragraph (b) of this sub-paragraph any reference to a person's son or daughter includes a reference to any stepson or stepdaughter, any illegitimate son or daughter, and any adopted son or daughter, of that person, and " son-in-law " and " daughter-in-law " shall be construed accordingly.”
- 3 In the proviso to paragraph 6(2), for the word "ten" there shall be substituted the word " two ".
- 4 In paragraph 7(3), for the words " or under this Schedule" there shall be substituted the words " under this Schedule or under Schedule 5 to the Housing Act 1969 ".

## SCHEDULE 7

Section 81.

### AMOUNT OF PREMIUM PERMISSIBLE UNDER SECTION 81

- 1 Where this Schedule applies to any tenancy and a premium was lawfully required and paid on the grant or an assignment of the tenancy nothing in section 86 of the Rent Act 1968 shall prevent any person from requiring or receiving, on an assignment of the tenancy, such part of the premium or, if more than one, of the last of them as is determined in accordance with the following provisions of this Schedule as the permissible part (without prejudice, however, to his requiring or receiving a greater sum in a case where he may lawfully do so under Schedule 11 to that Act).
- 2 The permissible part shall be such part of the premium as bears to the whole thereof the same proportion as the period referable to that part bears to the period referable to the premium ; and there shall be taken, as the period referable to the premium—

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- (a) if it was paid on the grant of the tenancy, the term for which the tenancy was granted ; and
- (b) if it was paid on an assignment of the tenancy, the residue of that term at the date of the assignment;

and, as the period referable to the permissible part, the residue of that term at the date of the assignment in connection with which that part may be required and received in pursuance of this Schedule.

3 Where the tenancy to which this Schedule applies was granted on the surrender of a previous tenancy and a premium had been lawfully required and paid on the grant or an assignment of the previous tenancy, the surrender value of the previous tenancy shall be treated, for the purposes of this Schedule, as a premium or, as the case may be, part of the premium, paid on the grant of the tenancy to which this Schedule applies.

4 For the purposes of paragraph 3 of this Schedule the surrender value of the previous tenancy shall be taken to be the amount which, had the previous tenancy been assigned instead of being surrendered and had this Schedule applied to it, would have been the amount that could have been required and received on the assignment in pursuance of this Schedule.

5 In determining for the purposes of this Schedule the amount which may be or could have been required and received on the assignment of a tenancy terminable, before the end of the term for which it was granted, by notice to the tenant, that term shall be taken to be a term expiring at the earliest date on which such a notice given after the date of the assignment would have been capable of taking effect.

## SCHEDULE 8

Sections 58 and 89.

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART I

##### AMENDMENTS CONSEQUENTIAL ON SECTION 58

###### *The Housing Act 1957*

1 In section 90(1) of the Housing Act 1957, for the words from " or of part" to " family" there shall be substituted the words " which is occupied by persons who do not form a single household ".

###### *The Housing Act 1961*

2 In sections 12, 13(1), 13(2), 15, 16 and 21(1) of the Housing Act 1961, for the words "a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family" there shall be substituted the words " a house which is occupied by persons who do not form a single household ".

3 In section 21(1) of that Act, for the words "wholly or partly let in lodgings or occupied by members of more than one family" there shall be substituted the words " occupied by persons who do not form a single household ".

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- 4 In section 22(1) of that Act, for paragraph (a) there shall be substituted:  
 “(a) of houses which are occupied by persons who do not form a single household, and”.

*The Housing Act 1964*

- 5 In sections 67, 69, 72 and 73 of the Housing Act 1964, for the words "which, or a part of which, is let in lodgings, or which is occupied by members of more than one family" there shall be substituted the words " which is occupied by persons who do not form a single household ".

**PART II**

OTHER AMENDMENTS

*The Housing Act 1957*

- 6 In section 11(3) of the Housing Act 1957, after the words "against a notice" there shall be inserted the words " under section 9(1) of this Act. "
- 7 In section 30(7) of that Act, for the words "or under the Second Schedule to this Act" there shall be substituted the words " under Schedule 2 to this Act or under Schedule 5 to the Housing Act 1969 ".
- 8 In section 91 of that Act, for the words " Part I of this Act" there shall be substituted the words " section 70 of the Housing Act 1969 ".
- 9 In section 121 of that Act the following shall be substituted for subsection (3) :
- “(3) In this section the reference to repair is a reference to such repair or replacement as either is incidental to the execution of works of improvement, alteration or enlargement or is in the opinion of the local authority needed for making such works fully effective.”
- 10 Section 98 of that Act shall apply as if the reference therein to a purchase under Part V of that Act of a house to be used for housing purposes included a reference to a purchase under Part II of this Act of any house.
- 11 Sections 101, 159, 160, 169 and 170 of that Act shall apply as if the references therein to that Act or Part V thereof included references to Part II of this Act.
- 12 Sections 171 to 176 of that Act shall apply as if references therein to that Act included references to Parts I and II of this Act.
- 13 Section 179 of that Act shall apply as if the reference therein to that Act included a reference to this Act.
- 14 Section 181(1) of that Act shall apply as if the reference therein to that Act included a reference to Part II of this Act.
- 15 Section 187(1) of that Act shall apply as if the reference therein to that Act included a reference to this Act.



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*The Housing (Financial Provisions) Act 1958*

- 16 In section 25 of the Housing (Financial Provisions) Act 1958 references to sections 1 to 9 of that Act shall include references to sections 17 to 21 of this Act.
- 17 Section 28 of that Act shall apply in relation to any payment made by the Minister to a local authority under this Act.
- 18 In section 50(1)(b) of that Act for the words " or are deemed " there shall be substituted the words " or were deemed ".
- 19 Section 54 of that Act shall apply as if the references therein to that Act included references to this Act.
- 20 In section 58(2) of that Act there shall be added at the end the words " section 18 or section 19 of the Housing Act 1969 ".

*The Land Compensation Act 1961*

- 21 At the end of paragraph 2(1)(g) of Schedule 2 to the Land Compensation Act 1961 there shall be added the words "or  
(h) an acquisition under Part II of the Housing Act 1969".
- 22 In paragraph 2(2) of that Schedule for the words " subsections (2) and (3)" there shall be substituted the words " subsection (2) " and for the words from "section fifty-seven" to "sub-paragraph (1) of this paragraph " there shall be substituted the words " Part III of that Act as being unfit for human habitation ".
- 23 In paragraph 3(2) of that Schedule there shall be added at the end of paragraph (b) the words " or under Schedule 5 to the Housing Act 1969 ".
- 24 In paragraph 6(2) of that Schedule the following shall be substituted for paragraph (c):  
“(c) subsection (2) of section 59 (which relates to the purchase of land comprised in a clearance area)”.

*The Housing Act 1964*

- 25 In section 34(3) of the Housing Act 1964 for the words " the Rent Act 1957 " there shall be substituted the words " the Rent Act 1968 ".
- 26 In section 43(1) of that Act the following shall be substituted for paragraph (g):—  
“(g) a sink”.
- 27 In section 43(7) of that Act for the words " section 4 " there shall be substituted the words " section 7 of the Housing Act 1969 ".
- 28 In section 57(4) of that Act for the words from " section 4 " to " 1958" there shall be substituted the words " Part I of the Housing Act 1969 ".
- 29 Section 69 of that Act shall have effect, except in relation to anything done before the commencement of this Act, as if for the reference to 13th November 1963 there were substituted a reference to any date not earlier than the commencement of this Act and as if the standard amenities mentioned in that section were defined as in this Act.

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*The General Rate Act 1967*

- 30 Paragraph 2 of Schedule 13 to the General Rate Act 1967 shall have effect—
- (a) as if the reference in sub-paragraph (1)(b) of that paragraph to proposals approved under section 9 of the Housing (Financial Provisions) Act 1958 included a reference to applications approved under section 18 of this Act; and
  - (b) as if the grants referred to in sub-paragraph (1)(c) of that paragraph included grants and contributions to a housing association under Part I of this Act.

*The Housing Subsidies Act 1967*

- 31 In section 14(5)(a) of the Housing Subsidies Act 1967 for the word " 1965 " there shall be substituted the word " 1969 ".

*The Rent Act 1968*

- 32 In section 57 of the Rent Act 1968, in subsection (1)(a), after the words " (standard grants) " there shall be inserted the words " Part I of the Housing Act 1969 (improvement grants and standard grants) ", and in subsection (2)(b) after the words " House Purchase and Housing Act 1959 " there shall be inserted the words " or Part I of the Housing Act 1969 "
- 33 At the end of paragraph 26(2) of Schedule 16 to that Act there shall be added the words " and a statutory tenancy so arising in relation to which the said section 39 does not have effect shall be deemed to be a controlled tenancy within the meaning of this Act ".

SCHEDULE 9

Section 89.

SAVINGS AND TRANSITIONAL PROVISIONS

- 1 The repeal by this Act of any enactment relating to any grant, contribution or subsidy shall not affect any power or duty to act on any application or arrangements made or proposals approved before the commencement of this Act, any power to reduce the rate at which any such grant, contribution or subsidy is to be paid, any obligation to observe any condition falling to be observed in pursuance of such an enactment, any obligation to make a payment in consequence of a breach of such a condition, any power to vary the rate of interest on such a payment or the imposition of such a condition by such an enactment in a case where a standard grant or improvement grant is paid by virtue of this paragraph.
- 2 The repeal by this Act of section 18 of the Housing (Financial Provisions) Act 1958 is without prejudice to the exercise, with respect to any event occurring before the commencement of this Act, of any power under that section.
- 3 The repeal by this Act of references in any provision of the Rent Act 1968 to any enactment contained in the Housing (Financial Provisions) Act 1958 or the House Purchase and Housing Act 1959 does not affect the operation of that provision in relation to any grant paid in pursuance of an application made before the commencement of this Act.

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- 4 The repeal by this Act of section 16 of the Rent Act 1968 does not affect the operation of that section in relation to the letting of any dwelling-house while the conditions mentioned in that section require to be observed.
- 5 The repeal by this Act of section 49 of the Rent Act 1968 does not affect the operation of that section in relation to any dwelling-house while such a condition relating to the rent of the dwelling-house as is mentioned in that section requires to be observed.
- 6 The references in sections 2(4) and 12 of this Act to a standard grant shall be construed as including references to a grant under section 4 of the House Purchase and Housing Act 1959.
- 7 The references in section 20 of this Act to a standard contribution and to the allowable cost determined under section 19 of this Act shall be construed respectively as including references to a contribution under section 13 of the House Purchase and Housing Act 1959 and one-half of the amount referred to in section 14(1) of that Act or, as the case may be, section 51 of the Housing Act 1964.

## SCHEDULE 10

Section 88.

### ENACTMENTS REPEALED

Chapter	Short Title	Extent of repeal
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957.	Section 3. In section 4(1)(h) the word "storage". In section 30(2) the words "the proviso to subsection (1) of". Sections 55 to 57. In section 59, subsection (3) and the words " or (3) " in subsection (4). In section 61 the words " or redevelopment area ". In section 63(1) paragraph (c) and the word " or " preceding that paragraph. In section 67, in subsection (1) the words " or in a re-development plan or a new plan " and the words " or the approval of the plan ", and in subsection (2) the words " or approval ". In section 70, in subsection (1) the

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Chapter	Short Title	Extent of repeal
6 & 7 Eliz. 2. c. 42.	The Housing (Financial Provisions) Act 1958.	<p>words "or in the case of premises comprised in a redevelopment plan approved by him "; and in subsection (2) the words " or re-development plan", the words "or approved" the words " or as a proposed re-development area ", the words "or of the re-development plan" the words " or plan " (in both places) and the words " or the re-development area ".</p> <p>In Schedule 2, in paragraph 4(1)(b) the words " the proviso to subsection (1) of ", paragraph 4(6)(b), and, in paragraph 7(2) in the definition of " site value " the words " or (3) ".</p> <p>In Schedule 3, in Part I, the proviso to paragraph 2(1), paragraphs 5 and 6; and in Part III, in paragraph 4 the words from " (a) where the premises" to " in any other case", and paragraph 5.</p> <p>In Schedule 4, in paragraph 2, the words from " or by the Minister's " to " new plan ", the words " or of the approval of the plan" and the words " or the approval of the plan ", wherever they occur; and in paragraph 3 the words " or the approval of the plan", the words " or the approval is given, as the case may be" and the words " or of the approval of the plan ".</p> <p>Section 9.</p> <p>Section 12.</p> <p>Section 18, except so far as it relates to payments other than those specified in section 77(2) of this Act.</p> <p>Sections 30 to 42.</p>

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Chapter	Short Title	Extent of repeal
7 & 8 Eliz. 2. c. 33.	The House Purchase and Housing Act 1959.	<p>Schedule 4.</p> <p>Part II.</p> <p>Section 28(2).</p> <p>In section 29(1), in the definition of "improvement grant" the words " under section 30 of the Act of 1958 or" and, in the definition of "standard amenities ", the words from " in Part II " to "Act and ".</p> <p>In Schedule 1, paragraphs 1, 2 and 9.</p>
9 & 10 Eliz. 2. c. 33.	The Land Compensation Act 1961.	<p>In Schedule 2, in paragraph 1(2)(b) the words from " or which" to "Act" and the words from " or did not" to " may be ".</p>
9 & 10 Eliz. 2. c. 65.	The Housing Act 1961.	<p>Section 12(2).</p> <p>Section 22(5).</p> <p>In section 24(5) paragraph (b) and the word " and " preceding that paragraph.</p> <p>In Schedule 2, paragraph 9.</p> <p>In Schedule 3, paragraph 6(2).</p>
1964 c. 56.	The Housing Act 1964.	<p>In section 13, subsections (1) to (3) and (5).</p> <p>Section 20(4).</p> <p>Part III except sections 57 and 59.</p> <p>In section 67(3) the words from " of individuals or a number " to " households ".</p>
1967 c. 29.	The Housing Subsidies Act 1967.	Section 12.
1968 c. 23.	The Rent Act 1968.	<p>Section 16.</p> <p>In section 25(4)(a), the words from " section 30 " to " (standard grants) or ".</p>

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Chapter	Short Title	Extent of repeal
		In section 31(a) the words from "section 30" to "(standard grants) or ". Section 49. In section 50(2) the words " or section 49 ".