



Housing Act 1969

1969 CHAPTER 33

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. "
- (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.