

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1974,  
Cross Heading: The Land Compensation (Scotland) Act 1973. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 13

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### *The <sup>M1</sup>Land Compensation (Scotland) Act 1973*

##### Marginal Citations

**M1** 1973 c. 56.

42 (1) In section 27 of the Land Compensation (Scotland) Act 1973 (right to home loss payment where person displaced from dwelling), subsection (1) shall be amended as follows :—

<sup>x1</sup>(a) in paragraph (c) after the words “the carrying out of there shall be inserted the words “any improvement to the dwelling or of<sup>f1</sup>. . .

<sup>x2</sup>(b) for the words “the acquiring authority to the end of the subsection there shall be substituted the following paragraphs:—

“(i) where paragraph (a) above applies, the acquiring authority ;

(ii) where paragraph (b) above applies, the authority who made the order, passed the resolution or accepted the undertaking ;

(iii) where paragraph (c) above applies, the authority carrying out the improvement or redevelopment ; and

(iv) where paragraph (d) above applies, the housing association carrying out the improvement or redevelopment.”

<sup>x2</sup>(2) After subsection (3) of that section there shall be inserted the following subsection :  
—

“(3A) For the purposes of this section a person shall not be treated as displaced from a dwelling in consequence of the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of of the carrying out of the improvement in question.”

<sup>x2</sup>(3) In subsection (7) of that section the words “and “redevelopment includes a change of use shall be omitted and at the end of that subsection there shall be inserted the following subsection :—

“(7A) In this section

“improvement includes alteration and enlargement; and

“redevelopment includes a change of use.”

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#### Editorial Information

- X1** The text of Ss. 130(4), Sch. 13 paras. 38(1)(b)(c), 38(2)(3), 39(1)(b)(d), 39(2)–(4), 40(1)–(5)(7), 41, 42(1) (a) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
- X2** The text of Ss. 11, 118(3)(4), Sch. 13 paras. 42(1)(b)(2)(3), 43(1)(a)(c), 43(2)–(4), 44–46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

#### Textual Amendments

- F1** Words repealed by [Housing Rents and Subsidies \(Scotland\) Act 1975 \(c.28\)](#), **Sch. 4**

- 43 (1) In section 34 of that Act (disturbance payments for persons without compensatable interests), subsection (1) shall be amended—
- <sup>x3</sup>(a) by inserting, in a paragraph (c), after the words “the carrying out of, the words “any improvement to a house or building on the land or of;
- <sup>F2</sup>(b) .....
- <sup>x3</sup>(c) by making the amendments as are specified, in relation to section 27(1) of that Act, in paragraph 42(1)(b) above.
- <sup>x3</sup>(2) After subsection (3) of that section for the words “or redevelopment as is mentioned in paragraph (a) or (c) there shall be substituted the words “improvement or redevelopment as is mentioned in paragraph (a) or (d).
- <sup>x3</sup>(3) After subsection (3) of that section there shall be inserted the following subsection :  
 —  
 “(3) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the carrying out of any improvement to a house or building unless he is permanently displaced in consequence of the carrying out of the improvement in question.”
- <sup>x3</sup>(4) In subsection (8) of that section after the word “undertaking there shall be inserted the word “improvement.

#### Editorial Information

- X3** The text of Ss. 11, 118(3)(4), Sch. 13 paras. 42(1)(b)(2)(3), 43(1)(a)(c), 43(2)–(4), 44–46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

#### Textual Amendments

- F2** [Sch. 13 para. 43\(1\)\(b\)](#) repealed by [Housing Rents and Subsidies \(Scotland\) Act 1975 \(c. 28\)](#), **Sch. 4**

- <sup>x4</sup>44 (1) In section 36 of that Act (duty to rehouse residential occupiers) in paragraph (c) of subsection (1) after the words “the carrying out of there shall be inserted the words “any improvement to a house or building on the land or of.
- (2) In subsection (3) of that section after the word “demolition there shall be added the words “or improvement.
- (3) In subsection (6) of that section after the words “such acquisition there shall be inserted the word “improvement.

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- (4) In subsection (9) of that section after the word “undertaking there shall be inserted the word “ “improvement.

**Editorial Information**

**X4** The text of Ss. 11, 118(3)(4), Sch. 13 paras. 42(1)(b)(2)(3), 43(1)(a)(c), 43(2)–(4), 44–46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

- <sup>x5</sup>45 (1) In section 40 of that Act (power to defray expenses in connection with the acquisition of new dwellings) in subsection (1)—
- (a) for the words “any such acquisition as is mentioned in section 36(1)(a) above, there shall be substituted the words “any of the events specified in paragraphs (a) to (c) of section 36(1) above; and
  - (b) for the words “the acquiring authority there shall be substituted the words “then, according to the nature of the event in consequence of which he was displaced, the acquiring authority, the authority who made the order, passed the resolution or accepted the undertaking or the authority carrying out the improvement or re-development.
- (2) In subsection (4) of that section for the words “subsection (1)(a) there shall be substituted the words “any provisions of subsection (1).

**Editorial Information**

**X5** The text of Ss. 11, 118(3)(4), Sch. 13 paras. 42(1)(b)(2)(3), 43(1)(a)(c), 43(2)–(4), 44–46 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1. 2. 1991.

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