

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Housing Act 1974, SCHEDULE 13. (See end of Document for details)

SCHEDULES

SCHEDULE 13

Section 130.

MINOR AND CONSEQUENTIAL AMENDMENTS

F1₁

Textual Amendments

F1 Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F2₂

Textual Amendments

F2 Sch. 13 para. 2 repealed (E.W.) by Criminal Law Act 1977 (c. 45), **Sch. 13** and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3) Sch. 24

F3₃—11.

Textual Amendments

F3 Sch. 13 paras. 3–11, 19, 20 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I** (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F4₁₂—
15.

Textual Amendments

F4 Sch. 13 Paras. 12–15, 18 repealed (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F5_{16, 17.}

Textual Amendments

F5 Sch. 13 Paras. 16, 17, 25–29, 33, 34, 37 repealed (E.W.) by Rent Act 1977 (c. 42), **Sch. 25** and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F6₁₈

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Textual Amendments

F6 Sch. 13 Paras. 12–15, 18 repealed (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

^{F7}19, 20.

Textual Amendments

F7 Sch. 13 paras. 3–11, 19, 20 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

^{F8}21

Textual Amendments

F8 Sch. 13 para. 21 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pts. I, II

^{F9}22

Textual Amendments

F9 Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

23 ^{F10}(1)

^{F11}(2)

^{F10}(5)

Textual Amendments

F10 Sch. 13 paras. 1, 22, 23(1), 23(5)(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

F11 Sch. 13 paras. 23(2)–(4) repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. II and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

^{F12}24

Textual Amendments

F12 Sch. 13 paras. 24, 30–32, 35, 36, 40(6), Sch. 15 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), Sch. 24

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F13 25—
29.

Textual Amendments

F13 Sch. 13 Paras. 16, 17, 25–29, 33, 34, 37 repealed (E.W.) by Rent Act 1977 (c. 42), **Sch. 25** and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F14 30–32

Textual Amendments

F14 Sch. 13 paras. 24, 30–32, 35, 36, 40(6), Sch. 15 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I** (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F15 33, 34.

Textual Amendments

F15 Sch. 13 Paras. 16, 17, 25–29, 33, 34, 37 repealed (E.W.) by Rent Act 1977 (c. 42), **Sch. 25** and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F16 35, 36.

Textual Amendments

F16 Sch. 13 para. 21 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pts. I, II

F17 37

Textual Amendments

F17 Sch. 13 Paras. 16, 17, 25–29, 33, 34, 37 repealed (E.W.) by Rent Act 1977 (c. 42), **Sch. 25** and (S.) by Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

The ^{M1}Land Compensation Act 1973

Marginal Citations

M1 1973 c. 26.

38 (1) In the Land Compensation Act 1973 (in this Schedule referred to as “the 1973 Act), in section 29 (right to home loss payment where person displaced from dwelling) subsection (1) shall be amended as follows :—

^{F18}(a)

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[^{F19X1}(b) in paragraph (c) after the words “the carrying out of there shall be inserted the words “any improvement to the dwelling or of^{F20} . . .]

[^{F19X1}(c) for the words from “the acquiring authority to the end of the subsection there shall be substituted the following paragraphs :—

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

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

(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.”]

[^{F19X1}(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 on consequence of the acceptance of an undertaking, of the service of such an improvement notice as is mentioned in subsection (1)(b) above or of the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of the carrying out of the works specified in the undertaking or notice or, as the case may be, of the improvement in question.”]

[^{F19X1}(3) In subsection (7) of that section ^{F21} . . . 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.”]

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.

Textual Amendments

F18 Sch. 13 paras. 38(1)(a), 39(1)(a) repealed by [Local Government and Housing Act 1989](#) (c.42, SIF 81:1), s. 194(4), **Sch. 12 Pt. II** and (S.) by [Housing \(Scotland\) Act 1987](#) (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F19 Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by [Housing \(Scotland\) Act 1987](#) (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

F20 Words repealed (E.W.) by [Housing Rents and Subsidies Act 1975](#) (c. 6), **Sch. 6 Pt. IV**

F21 Sch. 13 para. 39(1)(c) repealed (E.W.) by [Housing Rents and Subsidies Act 1975](#) (c. 6), **Sch. 6 Pt. IV** and (S.) by [Housing \(Scotland\) Act 1987](#) (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

39 (1) In section 37 of the 1973 Act (disturbance payments for persons without compensatable interests) subsection (1) shall be amended—

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- ^{F22}(a)
- [^{F23X2}(b) by inserting, in paragraph (c), after the words “the carrying out of the words “any improvement to a house or building on the land of or of ;] ”
- ^{F24}(c)
- [^{F23X2}(d) by making the like amendments as are specified, in relation to section 29(1) of that Act, in paragraph 38(1)(c) above.]

[^{F23X2}(2) Subsection (3) of that section shall be amended as follows :—

- (a) 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), (c) or (d);
- (b) for the words “or undertaking there shall be substituted the words “undertaking or improvement notice;
- (c) for the words “or the undertaking was accepted there shall be substituted the words “the undertaking was accepted or the notice was served.]

[^{F23X2}(3) After subsection (3) of that section there shall be inserted the following subsection:—

“(3A) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the acceptance of an undertaking, of the service of such an improvement notice as is mentioned in paragraph (b) of that subsection or of the carrying out of any improvement to a house or building unless he is permanently displaced in the carrying out of the works specified in the undertaking or notice, as the case may be, of the improvement in question.”]

[^{F23X2}(4) In subsection (9) of that section after the word “undertaking there shall be substituted the word “ “improvement.]

Editorial Information

X2 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.

Textual Amendments

- F22** Sch. 13 paras. 38(1)(a), 39(1)(a) repealed by [Local Government and Housing Act 1989 \(c.42, SIF 81:1\)](#), s. 194(4), [Sch. 12 Pt. II](#) and (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)
- F23** Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)
- F24** Sch. 13 para. 39(1)(c) repealed (E.W.) by [Housing Rents and Subsidies Act 1975 \(c. 6\)](#), [Sch. 6 Pt. IV](#) and (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

⁴⁰[^{F25X3}(1) In section 39 of the Act of 1973 (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 of or . . . ^{F26}.] ”

[^{F25X3}(2) In subsection (3) of that section after the word “demolition there shall be added the words “or improvement.]

[^{F25X3}(3) In subsection (6) of that section after the words “such acquisition there shall be inserted the word “improvement, after the words “paragraph (b) of that subsection there shall be inserted the words “or of such an improvement notice as is mentioned in

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paragraph (d) of that subsection and for the words “or the undertaking was accepted there shall be substituted the words “the undertaking was accepted or the notice was served.]

[^{F25X3}(4) After subsection (6) of that section there shall be inserted the following subsection:—

“(6A) For the purposes of subsection (1) above a person shall not be treated as displaced in consequence of the acceptance of an undertaking, of the carrying out of any improvement to a house or building or of the service of such an improvement notice as is mentioned in paragraph (d) of that subsection unless he is permanently displaced from the residential accommodation in question in consequence of the carrying out of the works specified in the undertaking, the carrying out of the improvement or, as the case may be, the carrying out of the works specified in the notice.”]

[^{F25X3}(5) In subsection (7) of that section for the words “subsection (8) there shall be substituted the words “subsections (8) and (8A).]

^{F27}(6)

[^{F25X3}(7) In subsection (9) of that section after the word “undertaking there shall be inserted the word “improvement.]

Editorial Information

X3 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.

Textual Amendments

- F25** Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by *Housing (Scotland) Act 1987* (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**
- F26** Words repealed (E.W.) by *Local Government and Housing Act 1989* (c. 42, SIF 61), s. 194(4), **Sch. 12 Pt. II**
- F27** Sch. 13 paras. 24, 30–32, 35, 36, 40(6), Sch. 15 repealed by *Housing (Consequential Provisions) Act 1985* (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I** (by s. 6(3) it is provided that s. 3 and Sch. 1 Pt. 1 of the Act extend to England And Wales) and (S.) by *Housing (Scotland) Act 1987* (c. 26, SIF 61), ss. 335, 339(3), **Sch. 24**

[^{F28X4}(1) In section 43 of the 1973 Act (power to defray expenses in connection with acquisition of new dwellings) in subsection (1),—

- (a) for the words “any such acquisition as is mentioned in section 39(1)(a) above, there shall be substituted the words “any of the events specified in paragraph (a) to (d) of section 39(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 who made the order, passed the resolution, accepted the undertaking or served the notice or the authority carrying out the improvement or redevelopment.

(2) In subsection (4) of that section for the words “and (6) there shall be substituted the words “(6) and (6A) and for the words “subsection (1)(a) there shall be substituted the words “any provision of subsection (1).]

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Editorial Information

- X4** 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.

Textual Amendments

- F28** Sch. 13 paras. 1, 22, 23(1), 23(5)–(7), 38(1)(b)(c), 38(2)(3), 39(1)(b)–(d), 39(2)–(4), 40(1)–(5), 40(7), 41 repealed (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The ^{M2}Land Compensation (Scotland) Act 1973

Marginal Citations

- M2** 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 :—
- ^{x5}(a) in paragraph (c) after the words “the carrying out of there shall be inserted the words “any improvement to the dwelling or of^{F29} . . .
- ^{x6}(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.”
- ^{x6}(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.”
- ^{x6}(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

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“redevelopment includes a change of use.”

Editorial Information

X5 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.

X6 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

F29 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—

^{X7}(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;

^{F30}(b)

^{X7}(c) by making the amendments as are specified, in relation to section 27(1) of that Act, in paragraph 42(1)(b) above.

^{X7}(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).

^{X7}(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.”

^{X7}(4) In subsection (8) of that section after the word “undertaking there shall be inserted the word “improvement.

Editorial Information

X7 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

F30 Sch. 13 para. 43(1)(b) repealed by [Housing Rents and Subsidies \(Scotland\) Act 1975 \(c. 28\)](#), **Sch. 4**

^{X8}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.

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- (3) In subsection (6) of that section after the words “such acquisition there shall be inserted the word “improvement.
- (4) In subsection (9) of that section after the word “undertaking there shall be inserted the word “improvement.

Editorial Information

X8 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.

- ^{x9}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

X9 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.

^{M3}Local Government (Scotland) Act 1973

Marginal Citations

M3 1973 c. 65.

PROSPECTIVE

- ^{x10}46 (1) Section 131(3) shall cease to have effect.
- (2) In Schedule 12, in paragraph 6, in the substituted section 1 for the words “sections 152 and 153 there shall be substituted the words “section 152; and paragraph 11 shall be omitted.

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Editorial Information

X10 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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