



Housing (Financial Provisions) (Scotland) Act 1978

1978 CHAPTER 14

An Act to make new provision for Scotland with respect to grants for housing authorities and grants and loans to voluntary organisations concerned with housing; to provide for grants and loans by local authorities to meet expenses of repairing houses in a state of disrepair; to make further provision for the improvement of houses below the tolerable standard; to make further provision as to the rents of houses provided by local authorities in Scotland; and to make minor amendments of certain enactments relating to housing. [25th May 1978]

Government grants to housing authorities and voluntary organisations

1—9. F1

Textual Amendments

F1 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

Miscellaneous and general

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19. F2

Textual Amendments

F2 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

Changes to legislation: There are currently no known outstanding effects for the Housing (Financial Provisions) (Scotland) Act 1978. (See end of Document for details)

SCHEDULES

SCHEDULE 1

F3

Textual Amendments

F3 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

SCHEDULE 2

Section 16(1)

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

MINOR AMENDMENTS

The Housing (Scotland) Act 1966 (c. 49)

1.—2. F4

Textual Amendments

F4 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The Housing Subsidies Act 1967 (c. 29)

3 F5

Textual Amendments

F5 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The Housing (Financial Provisions) (Scotland) Act 1968 (c. 31)

4.&5. F6

Changes to legislation: There are currently no known outstanding effects for the
Housing (Financial Provisions) (Scotland) Act 1978. (See end of Document for details)

Textual Amendments

- F6** Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The Housing (Scotland) Act 1969 (c. 34)

6.&7. **F7**

Textual Amendments

- F7** Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The Housing (Financial Provisions) (Scotland) Act 1972 (c. 46)

8.—11. **F8**

Textual Amendments

- F8** Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

The Land Compensation (Scotland) Act 1973 (c. 56)

12 In section 27 (right to home loss payment where person displaced from dwelling)—

- (a) in subsection (1)—
 - (i) after paragraph (d) there shall be inserted the following paragraph—
 - “(e) a requirement to remove from the building containing the dwelling in pursuance of section 13 of the Building (Scotland) Act 1959 (dangerous buildings) or any other enactment which requires the demolition of the building on account of its condition.”;
 - (ii) at the end of the subsection there shall be added the following paragraph—
 - “(v) where paragraph (e) above applies, the authority requiring the removal.”;
- (b) in subsection (3A)—
 - (i) after the words “consequence of” there shall be inserted the word “(a)”;
 - (ii) after the word “dwelling” where it second occurs there shall be inserted the words “or; (b) a requirement to remove as mentioned in subsection (1)(e) above”;
 - (iii) at the end of the subsection there shall be added the following words “or removal as the case may be.”;

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- (c) at the end of subsection (9) there shall be added the following words “except that, where the displacement is in consequence of the circumstances referred to in subsection (1)(e) above, it applies if the date of displacement is on or after the coming into force of paragraph 12 of Schedule 2 to the Housing (Financial Provisions) (Scotland) Act 1978.”.

Modifications etc. (not altering text)

- C1** The text of Schedule 2, paras. 12–14 and 39 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.

- 13 In section 34 (disturbance payments for persons without compensatable interests)—
- (a) in subsection (1)—
- (i) after paragraph (d) there shall be inserted the following paragraph—
- “(e) a requirement to remove from a building on the land in pursuance of section 13 of the Building (Scotland) Act 1959 (dangerous buildings) or any other enactment which requires the demolition of the building on account of its condition,”;
- (ii) at the end of the subsection there shall be added the following paragraph—
- “(v) where paragraph (e) above applies, the authority requiring the removal.”;
- (b) in subsection (3)—
- (i) for the words “or undertaking as is mentioned in paragraph (b)” there shall be substituted the words “undertaking or requirement to remove as is mentioned in paragraph (b) or (e)”;
- (ii) for the words “or the undertaking was accepted” there shall be substituted “the undertaking was accepted or he was required to remove.”;
- (c) in subsection (3A)—
- (i) after the words “consequence of” there shall be inserted the word “(a)”;
- (ii) after the word “building” there shall be inserted the words “or; (a) a requirement to remove as mentioned in subsection (1)(e) above”;
- (iii) at the end of the subsection there shall be added the following words “or removal as the case may be.”;
- (d) at the end of subsection (9) there shall be the following words “except that, where the displacement is in consequence of the circumstances referred to in subsection (1)(e) above, it applies if the date of displacement is on or after the coming into force of paragraph 13 of Schedule 2 to the Housing (Financial Provisions) (Scotland) Acts 1978.”.

Changes to legislation: There are currently no known outstanding effects for the Housing (Financial Provisions) (Scotland) Act 1978. (See end of Document for details)

Modifications etc. (not altering text)

C2 The text of Schedule 2, paras. 12–14 and 39 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.

- 14 In section 36 (duty to re-house residential occupiers)—
- (a) in subsection (1) after paragraph (c) there shall be inserted the following paragraph—
 - “(d) a requirement to remove the building containing the residential accommodation in pursuance of section 13 of the Building (Scotland) Act 1959 (dangerous buildings), or any other enactment which requires the demolition of the building on account of its condition,”;
 - (b) in subsection (6)—
 - (i) for the words “or undertaking as is mentioned in paragraph (b)” there shall be substituted “undertaking or requirement as is mentioned in paragraph (b) or (d)”;
 - (ii) for the words “or the undertaking was accepted” there shall be substituted “the undertaking was accepted or he was required to remove.”.

Modifications etc. (not altering text)

C3 The text of Schedule 2, paras. 12–14 and 39 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.

15.—29. **F9**

Textual Amendments

F9 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

PART II

CONSEQUENTIAL AMENDMENTS

30.—38. **F10**

Textual Amendments

F10 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

Changes to legislation: There are currently no known outstanding effects for the Housing (Financial Provisions) (Scotland) Act 1978. (See end of Document for details)

The Land Compensation (Scotland) Act 1973 (c. 56)

39 In section 27(7) (home loss payments), at the end of paragraph (a) there shall be added the words “ or an order under section 14A of the Housing (Scotland) Act 1974 ; ”.

Modifications etc. (not altering text)

C4 The text of Schedule 2, paras. 12–14 and 39 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.

40.—43. **F11**

Textual Amendments

F11 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

F12F12SCHEDULE 3

Textual Amendments

F12 Act repealed, except paragraphs 12 to 14 and 39 of Schedule 2, by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

. **F12**

Changes to legislation:

There are currently no known outstanding effects for the Housing (Financial Provisions) (Scotland) Act 1978.