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**Changes to legislation:** There are currently no known outstanding effects for the Housing (Consequential Provisions) Act 1985, Cross Heading: Land Compensation Act 1973 (c.26). (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### CONSEQUENTIAL AMENDMENTS

##### *Land Compensation Act 1973 (c.26)*

- 24 (1) The Land Compensation Act 1973 is amended as follows.
- (2) In section 29 (home loss payments)—
- <sup>F1</sup>(a) . . . . .
- (b) for subsection (1)(d) (improvement &c. by certain housing associations) substitute—
- “<sup>F2</sup>(d) the carrying out of any improvement to the dwelling or of redevelopment on the land by a housing association which has previously acquired the land and at the date of the displacement is registered under the Housing Associations Act 1985”;
- <sup>F2</sup>(c) . . . . .
- <sup>F3</sup>(d) . . . . .
- (3) In section 37 (disturbance payments)—
- <sup>F1</sup>(a) . . . . .
- (b) for subsection (1)(d) (improvement &c. by ;certain housing associations) substitute—
- “<sup>F1</sup>(d) the carrying out of any improvement to a house or building on the land or of re-development on the land by a housing association which has previously acquired the land and at the date of the displacement is registered under the Housing Associations Act 1985;”;
- <sup>F1</sup>(c) . . . . .
- (d) after subsection (2)(c) there shall continue to be—
- “<sup>F1</sup>(d) in a case within subsection (1)(d) above, unless the displacement occurred on or after 31st July 1974 (on which date the Housing Act 1974 was passed).”.
- (4) In section 39 (duty to rehouse residential occupiers)—
- <sup>F1</sup>(a) . . . . .
- (b) in subsection (4)(b) (exclusion of person with local authority mortgage) after “1958” insert “or section 435 of the Housing Act 1985”;
- (c) for subsection (7) (definition of relevant authority) substitute—
- “(7) Subject to subsection (8) below, the “relevant authority” for the purposes of this section is the local housing authority within the meaning of the Housing Act 1985.”.

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- (5) In section 42 (duty of displacing authority to indemnify rehousing authority)—
- (a) in subsection (1)(b) for “Part V of the Housing Act 1957” substitute “Part II of the Housing Act 1985”;
  - (b) in subsection (2)(a) for “Part V of the said Act of 1957” substitute “Part II of the said Act of 1985”;
  - (c) in subsection (2)(b) for “the said Part V” substitute “the said Part II”;
  - (d) for subsection (6) (provision for construction as one with Housing Finance Act 1972) substitute—

“(6) In subsection (2)—

“Housing Revenue Account Dwelling”, means a dwelling which is within the authority’s Housing Revenue Account (within the meaning of Part XIII of the Housing Act 1985) and is not—

- (a) a dwelling for the time being let on a long tenancy at a low rent within the meaning of the Leasehold Reform Act 1967, or
- (b) a dwelling no longer owned by the authority;

“year” means financial year.”.

- (6) In section 52 (right to advance payment of compensation), in subsection (11) for the words from “section 98” to “that Act” substitute “section 583 of the Housing Act 1985”.
- (7) In section 57(3) (application of provisions as to notice of entry in respect of part of agricultural holding) for the words from “section 101” to “that Act” substitute “section 584 of the Housing Act 1985(power to enter and determine short tenancies of land acquired or appropriated for certain purposes of that Act)”.

<sup>F4</sup>(8) .....

- (9) section 87 (general interpretation) for the definitions of “housing association” and “registered” substitute—

““housing association” has the same meaning as in the Housing Associations Act 1985 and “registered”, in relation to a housing association, means registered under that Act;”.

#### **Textual Amendments**

- F1** Sch. 2 paras. 4, 24(2)(a)(3)(a)(c)(4)(a), 49 repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 61\)](#), s. 194(4), **Sch. 12 Pt. II**
- F2** Sch. 2 para. 24(2)(c) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1,2, 123:1,2\)](#), s. 84(2)(6), **Sch. 19 Pt. III** (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)
- F3** Sch. 2 para. 24(2)(d) repealed (6.4.2006 for E., 16.6.2006 for W.) by [Housing Act 2004 \(c. 34\)](#), s. 270(4)(5)(f), **Sch. 16**; S.I. 2006/1060, **art. 2(1)(e)** (with Sch.); S.I. 2006/1535, **art. 2(c)** (with Sch.)
- F4** Sch. 2 paras. 22, 24(8) repealed by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1,2\)](#), s. 3, **Sch. 1**

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