2. Any increase attributable to this Act in the sums payable by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland shall be defrayed out of moneys provided by Parliament. Payment out of moneys provided by Parliament of resulting increase in grants.

3. This Act may be cited as the Eisteddfod Act, 1959. Short title.

CHAPTER 33

House Purchase and Housing Act, 1959

ARRANGEMENT OF SECTIONS

PART I

LOANS FOR PURCHASE OF HOUSES

Section
1. Designation of building societies for investment by trustees and government loans.
2. Exchequer advances to building socities.
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PART II

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Grants by local authorities for provision of standard amenities

4. Duty of local authorities to make grants towards certain improvements.
5. Approval of applications for standard grant.
6. Amount of standard grant.
7. Application of provisions of Part II of Act of 1958 as to Exchequer contributions, conditions, etc.
8. Effect of standard grant on application for and limit of improvement grant.

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9. Statement of reasons for refusal to make improvement grant or to pay maximum amount.
10. Duration of leasehold interest of applicant for improvement grant.
11. Conditions to be observed with respect to dwellings.
12. Rent of dwelling improved with assistance of local authority.

Contributions to local authorities for provision of standard amenities

Section
13. Contributions to local authorities in respect of standard amenities provided by them.
14. Amount of contribution under s. 13.

Contributions to local authorities under ss. 9 & 12 of Act of 1958

15. Nature and amount of Exchequer contribution under Act of 1958 for dwellings converted or improved by local authorities.
16. Local authorities for purposes of s. 9 of Act of 1958.
17. Effect of contribution under s. 13 on contribution under s. 9 of Act of 1958.
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ASSISTANCE FOR IMPROVEMENT OF DWELLINGS IN SCOTLAND

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19. Duty of local authorities to make grants towards certain improvements.
20. Approval of applications for standard grant.
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22. Application of provisions of Part VII of Act of 1950 as to Exchequer contributions, conditions, etc., and provision as to landholders, etc.
23. Effect of standard grant on application for and limit of improvement grant.

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24. Amendment of provisions of Act of 1950 relating to improvement grants.

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25. Abolition of contributions to development corporations.
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27. Effect of standard grant on adjustment of rent limit.
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31. Amendments, repeal and saving.
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SCHEDULES:

First Schedule—Amendments of Housing (Financial Provisions) Act, 1958, and Housing (Scotland) Act, 1950.

Second Schedule—Enactments repealed.

An Act to authorise Exchequer advances to, and the deposit of trust funds with, designated building societies; to enlarge the power of local authorities to make advances under the Small Dwellings Acquisition Acts, 1899 to 1923, the Small Dwellings Acquisition (Scotland) Acts, 1899 to 1923, section forty-three of the Housing (Financial Provisions) Act, 1958, and section seventy-five of the Housing (Scotland) Act, 1950; to make further provision for grants by local authorities and Exchequer contributions to local authorities towards the improvement of dwellings; to amend the provisions of the said Act of 1958 and the said Act of 1950, with respect to Exchequer contributions and grants by local authorities towards the provision of dwellings by the conversion of houses and other buildings and towards the improvement of dwellings, and with respect to the conditions to be observed where assistance has been given under Part II of the said Act of 1958 or Part VII of the said Act of 1950; and for purposes connected with the matters aforesaid. [14th May, 1959]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART I

LOANS FOR PURCHASE OF HOUSES

Designation of building societies for investment by trustees and government loans.

1.—(1) Where the Chief Registrar of Friendly Societies (in this section referred to as the Registrar) is satisfied that a permanent building society fulfils such requirements as to its assets and liabilities, liquid funds, reserves, and other matters, as the Treasury may by regulations prescribe, he may designate the society for the purposes of this section; and where a society has been so designated and the designation has not been revoked—

(*a*) the powers of a trustee under section one of the Trustee Act, 1925, or section ten of the Trusts (Scotland) Act, 1921, shall include power to invest funds of trusts in his hands by depositing with the society amounts not exceeding five thousand pounds for any one trust; and

(*b*) the Minister may make advances to the society in accordance with the provisions of section two of this Act.

PART I —*cont.*

(2) Where the officer appointed to perform in Northern Ireland the functions of registrar of friendly societies (in this section referred to as the Registrar for Northern Ireland) is satisfied that a society incorporated under the Building Societies Acts (Northern Ireland), 1874 to 1940, which is a permanent society within the meaning of those Acts fulfils the requirements prescribed under subsection (1) of this section, he may designate the society for the purposes of paragraph (*a*) of that subsection; and where a society has been so designated and the designation has not been revoked, that paragraph shall apply in relation to it as it applies in relation to a permanent building society within the meaning of this Act.

(3) The Registrar or, as the case may be, the Registrar for Northern Ireland, shall publish in the London, Edinburgh and Belfast Gazettes a notice of every designation made by him under this section and of any revocation of such a designation.

(4) If any person knowingly or recklessly makes or causes or procures another person to make a false or misleading statement in connection with any information which the Registrar or the Registrar for Northern Ireland may request for the purposes of this section he shall be guilty of an offence and liable on summary conviction to a fine not exceeding one hundred pounds or imprisonment for a term not exceeding three months or both, or on conviction on indictment to a fine not exceeding five hundred pounds or imprisonment for a term not exceeding two years or both.

(5) The Treasury may by order vary the amount specified in paragraph (*a*) of subsection (1) of this section.

Exchequer advances to building societies.

2.—(1) Any advance made to a building society under this Act shall be repayable to the Minister at such times and by such methods, and interest thereon shall be payable at such rates and at such times, as the Minister may with the approval of the Treasury direct.

(2) Subject to subsection (3) of this section—

(*a*) such advances made to any building society in respect of any financial year shall not exceed the amounts advanced in that year by the society to its members for the purchase or improvement of houses in the United Kingdom satisfying the following conditions, that is to say, that each house was completed before the year nineteen hundred and nineteen and that its estimated value does not exceed two thousand five hundred pounds, or in the Metropolitan Police District or the City of London, three thousand pounds;

(*b*) such an advance shall not be made to a building society if the amount thereof, together with the amount outstanding in respect of any such advances previously

PART I —*cont.*

made to the society, would exceed one-fifth of the amount outstanding in respect of any funds raised by the society by other means.

(3) The Minister may by order vary the conditions specified in paragraph (*a*) of subsection (2) of this section or the fraction specified in paragraph (*b*) of that subsection.

(4) Advances made to building societies under this Act shall not together exceed the sum of one hundred million pounds.

(5) The Treasury may issue to the Minister, out of the Consolidated Fund, such sums as are necessary to enable him to make such advances; and for the purpose of providing sums to be so issued, or of providing for the replacement of sums so issued, the Treasury may at any time, if they think fit, raise money in any manner in which they are authorised to raise money under the National Loans Act, 1939, and any securities created and issued to raise money under this subsection shall be deemed for all purposes to have been created and issued under that Act.

(6) Any sums received by the Minister under subsection (1) of this section shall be paid into the Exchequer and shall be issued out of the Consolidated Fund at such times as the Treasury may direct, and shall be applied by the Treasury as follows, that is to say—

(*a*) so much thereof as represents principal shall be applied in redeeming or paying off debt of such description as the Treasury think fit; and

(*b*) so much thereof as represents interest shall be applied towards meeting such part of the annual charges for the national debt as represents interest.

(7) The Minister shall, as respects each financial year, prepare in such form and manner as the Treasury may direct an account of sums issued to him for advances under this Act and of sums received by him under subsection (1) of this section and of the disposal by him of those sums respectively, and send it to the Comptroller and Auditor General not later than the end of November following the year; and the Comptroller and Auditor General shall examine, certify and report on the account and lay copies of it, together with his report, before each House of Parliament.

(8) The reference in paragraph (*a*) of subsection (2) of this section to the estimated value of a house shall be construed, in relation to a house in England, Wales or Northern Ireland, as a reference to the estimated value of its fee simple in possession free from incumbrances and, in relation to a house in Scotland,

PART 1 —*cont.*

as a reference to the estimated value of the house subject to feu duty, ground annual or other burden incident to tenure but free from other incumbrances.

Power of local authorities to advance full value of houses.

3.—(1) Paragraph (*d*) of section twenty-two of the Housing, &c. Act, 1923, paragraph (*b*) of subsection (3) of section forty-three of the Act of 1958, and paragraph (*b*) of subsection (3) of section seventy-five of the Act of 1950 (which limit to ninety per cent. of the value therein mentioned the amount of any advance that may be made by local authorities in respect of certain houses) shall be amended by the omission of the words " ninety per cent. of " and " nine-tenths of ", wherever they occur in those enactments.

(2) So much of the said section forty-three and of the said section seventy-five as prevents the making of an advance thereunder in respect of a house the estimated value of which or of the fee simple of which exceeds five thousand pounds shall cease to have effect.

PART II

ASSISTANCE FOR IMPROVEMENT OF DWELLINGS IN ENGLAND AND WALES

Grants by local authorities for provision of standard amenities

Duty of local authorities to make grants towards certain improvements.

4.—(1) Subject to subsection (6) of this section, a local authority shall give assistance in respect of the improvement of any dwelling by any person other than a local authority or county council by such works as may be required for the dwelling to be provided, for the exclusive use of its occupants, with the standard amenities, that is to say, subject to subsection (2) of this section, all of the following:—

(*a*) a fixed bath or shower in a bathroom;

(*b*) a wash-hand basin;

(*c*) a hot water supply;

(*d*) a water closet in or contiguous to the dwelling; and

(*e*) satisfactory facilities for storing food;

by way of making a grant (in this Part of this Act referred to as a " standard grant ") in respect of the cost of executing the works, if an application in that behalf is made by that person to the local authority and approved by them before the works are begun and the works are executed to the satisfaction of the authority.

(2) The Minister may by order vary the class of amenities which are the standard amenities for the purposes of this Part of this Act.

(3) An application under this section must specify the dwelling and the works proposed to be carried out and, where those works

PART II —*cont.*

comprise the provision of part only of the standard amenities, must contain a statement that the dwelling is already provided with the remainder.

(4) An application under this section must also contain a statement either that the applicant is the occupier of the dwelling or that the occupier has consented in writing to the making of the application.

(5) Where the works include the provision of a hot water supply, their execution must include the connection of the supply to a sink as well as to the bath or shower and the wash-hand basin.

(6) An application under this section shall not be entertained if it relates to a dwelling provided after the end of the year nineteen hundred and forty-four, unless the dwelling was provided by the conversion before the end of the year nineteen hundred and fifty-eight of a building erected before the end of the year nineteen hundred and forty-four.

Approval of applications for standard grant.

5.—(1) A local authority shall approve an application for a standard grant if they are satisfied of the matters mentioned in subsections (2) and (3) of this section, and shall not approve it if not so satisfied.

(2) The local authority must be satisfied that after the execution of the works specified in the application the dwelling will be in such condition as not to be unfit for human habitation, and that it is likely to remain in that condition and available for use as a dwelling for a period of not less than fifteen years.

(3) The local authority must also be satisfied that the applicant has, in every parcel of land on which the works are to be carried out (other than land proposed to be sold or leased to him under subsection (2) of section one hundred and five of the Housing Act, 1957 (which authorises a local authority to dispose of land for the purpose of carrying out works in connection with work on an adjoining house)), an interest constituting either an estate in fee simple absolute in possession or a term of years absolute of which not less than fifteen years remain unexpired at the date of the application.

(4) Where the local authority do not approve an application for a standard grant they shall, if the applicant so requests, state to him in writing of which of the matters mentioned in sub-sections (2) and (3) of this section they are not satisfied and their reasons for not being satisfied thereof.

Amount of standard grant.

6.—(1) The amount of a standard grant shall, subject to sub-section (2) of this section, be one-half of the cost shown to have been incurred in executing the works in respect of which it is made.

(2) The amount of a standard grant shall not exceed one hundred and fifty-five pounds if at the time the works were begun the dwelling was provided with none of the standard amenities

PART II —*cont.*

and, in any other case, shall not exceed that amount reduced by the following amounts respectively for each of those amenities with which the dwelling was then provided, that is to say—

(*a*) by twenty-five pounds for the amenity mentioned in paragraph (*a*),

(*b*) by five pounds for that mentioned in paragraph (*b*),

(*c*) by seventy-five pounds for that mentioned in paragraph (*c*),

(*d*) by forty pounds for that mentioned in paragraph (*d*),

(*e*) by ten pounds for that mentioned in paragraph (*e*),

of subsection (1) of section four of this Act.

(3) The reduction required by subsection (2) of this section in respect of any of the standard amenities shall not be made if part of the cost incurred in executing the works was attributable to interference with or replacement of that amenity and the local authority are satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

(4) The Minister may by order vary the amounts specified in subsection (2) of this section, and an order made by the Minister under section four of this Act varying the amenities which are the standard amenities for the purposes of this Part of this Act may specify the reductions to be made under subsection (2) of this section in respect of those amenities respectively.

Application of provisions of Part II of Act of 1958 as to Exchequer contributions, conditions, etc.

7.—(1) The provisions of sections thirty-three to forty-one of and the Fourth Schedule to the Act of 1958 (which provide for Exchequer contributions towards improvement grants, the observance and enforcement of conditions in connection with such grants, and certain other matters relating to such grants) shall, with the necessary modifications, and, in particular, subject to the following provisions of this section, apply in relation to standard grants as they apply in relation to improvement grants; and section forty-two of that Act (which relates to the interpretation of those provisions) shall apply accordingly.

(2) In relation to standard grants—

(*a*) section thirty-seven of the Act of 1958 (which excludes the application of subsection (3) of section thirty-one of that Act in relation to certain ecclesiastical and other property) shall have effect as if for the reference to that subsection there were substituted a reference to subsection (3) of section five of this Act; and

(*b*) section thirty-eight and section thirty-nine of that Act shall each apply with the omission of subsection (1) (which relates only to assistance in respect of the provision of dwellings).

Effect of standard grant on application for and limit of improvement grant.

8.—(1) Where, at any time within three years after the making of a standard grant in respect of any dwelling, an application for an improvement grant is made in respect of that dwelling and the application contains a statement of the cost incurred in executing the works in respect of which the standard grant was

PART II *—cont.*

made, subsection (3) of section thirty of the Act of 1958 (which prevents such an application from being entertained unless the estimated amount of the relevant expenses is not less than one hundred pounds or such other amount as may be prescribed) shall have effect, in relation to that application (or, if the dwelling is not the only one to which the application relates, in relation to the application so far as it relates to the dwelling), as if the amount specified in or prescribed under that subsection were reduced by the cost incurred as aforesaid.

(2) Where after the making of a standard grant in respect of a dwelling an improvement grant is made in respect of that dwelling, subsection (1) of section thirty-two of the Act of 1958 (which limits the amount of an improvement grant) shall have effect, in relation to that dwelling, as if the sum specified in or prescribed under paragraph (*b*) of that subsection were reduced by the amount of the standard grant.

Amendment of provisions relating to improvement grants

Statement of reasons for refusal to make improvement grant or to pay maximum amount.

9. Where a local authority refuse an application under section thirty of the Act of 1958 (which authorises the making of improvement grants) or, in approving such an application, fix the amount of the grant at less than the maximum authorised by paragraphs (*a*) and (*b*) of subsection (1) of section thirty-two of that Act, they shall, if the applicant so requests, give him a written statement of their reasons for doing so.

Duration of leasehold interest of applicant for improvement grant.

10. In subsection (3) of section thirty-one of the Act of 1958 (which prevents the making of improvement grants in cases where the applicant's interest in the land concerned is a leasehold interest for an unexpired term of less than thirty years or any shorter period for which the dwellings concerned will provide satisfactory housing accommodation) there shall be substituted, for all the words after "less than", the words "fifteen years".

Conditions to be observed with respect to dwellings.

11.—(1) In subsection (1) of section thirty-three of the Act of 1958 (which requires, in the case of dwellings in respect of which assistance has been given under Part II of that Act, the observance of certain conditions for the period specified in subsection (2) of that section, that is to say, for twenty years or, in certain cases, a shorter period) there shall be substituted, for the words "the period specified in subsection (2) of this section", the words "the period of ten years beginning with the day on which the dwelling first becomes fit for occupation after the completion of the improvement works".

(2) In subsection (1) of section thirty-five of that Act (which provides for the release from any such conditions as aforesaid on payment, with the agreement of the local authority, of a sum equal to the appropriate proportion of the amounts received under the said Part II together with compound interest thereon) the words "if the local authority so agree" shall be omitted.

PART II —*cont.*

(3) In paragraph 3 of the Fourth Schedule to that Act (which requires the dwelling to be let or kept available for letting when it is not occupied by a person of a class defined in sub-paragraphs (*a*) to (*c*) of that paragraph) the following sub-paragraph shall be inserted after sub-paragraph (*b*) (which allows occupation by a person who has become entitled to an interest in the dwelling on the death of the applicant):—

"(*bb*) by a person who, after the expiration of three years from the beginning of the period during which the conditions set out in this Schedule are to be observed, has become beneficially entitled to, or to an interest in, the interest of the applicant in the dwelling or the proceeds of sale thereof, or by a member of the family of such a person, or";

and the said sub-paragraph (*b*) shall be amended by inserting, before the word "or" at the end thereof, the words "or by a member of the family of such a person".

(4) Paragraph 4 of the said Fourth Schedule (which imposes a limit on the rent at which the dwelling may be let when not occupied as mentioned in the said paragraph 3) shall have effect subject to the provisions of section twelve of this Act.

(5) The proper officer of the local authority shall record in the register of local land charges any change effected by subsection (1) or subsection (3) of this section in any conditions registered in that register.

Rent of dwelling improved with assistance of local authority.

12.—(1) Where, after the commencement of this Act, an application is made to a local authority for an improvement grant or a standard grant in respect of the provision of a dwelling or in respect of the improvement of a dwelling which is not subject to a controlled tenancy, the application may contain a request to fix for the purposes of paragraph 4 of the Fourth Schedule to the Act of 1958 a rent higher than the limit imposed by section twenty of the Rent Act, 1957; and if it appears to the local authority reasonable to do so, having regard to all the circumstances and, in particular, to the rents payable for similar dwellings in their area with respect to which no limit or condition is imposed by the Rent Act, 1957, or the Act of 1958, they may, on approving the application, fix such higher rent for those purposes as they think reasonable.

(2) Subject to the following provisions of this section, a rent so fixed shall be substituted in the condition set out in the said paragraph 4 for the limit imposed by the said section twenty, and subsection (3) of that section shall not apply to any tenancy of the dwelling.

(3) A rent so fixed shall be fixed as for a letting under which the lessee will be responsible for internal decorative repairs (but no others) and no services or furniture (except such as may be specified in the application) will be provided for him; and where

PART II —*cont.*

the dwelling is let or kept available for letting on other terms, the rent so fixed shall be deemed to be increased or reduced (according as the terms are more favourable or less favourable to the lessee) by such amount as may, subject to subsection (4) of this section, be agreed between the lessor and the local authority or as may in default of agreement be determined by the county court.

(4) So far as any such increase or reduction is attributable to a variation of the terms as to repairs,—

(*a*) the increase shall not be more than one-sixth if the lessor is to be responsible for internal decorative repairs, and shall be less than one-sixth in any other case; and

(*b*) the reduction shall not be more than one-third if the lessee is to be responsible for all repairs, and shall be less than one-third in any other case.

(5) Where the application is made in respect of the provision of a dwelling by the conversion of any premises, the local authority, before determining whether to fix a rent under this section, shall obtain from the valuation officer an estimate of the relevant change in the valuation list which is likely to result from the conversion; and if they approve the application and fix a rent, but in consequence of the change in fact resulting from the conversion the rent so fixed is less than the limit imposed by the said section twenty, subsections (2) to (4) of this section shall cease to apply to the dwelling.

Contributions to local authorities for provision of standard amenities

Contributions to local authorities in respect of standard amenities provided by them.

13.—(1) Subject to subsection (5) of this section, the Minister shall make a contribution to a local authority in respect of the improvement by them of any dwelling by such works as may be required for the dwelling to be provided, for the exclusive use of its occupants, with the standard amenities, if an application in that behalf is made to him by the local authority and approved by him before the works are begun and the works are executed to his satisfaction.

(2) An application under this section must specify the dwelling and the works proposed to be carried out and, where those works comprise the provision of part only of the standard amenities, must contain a statement that the dwelling is already provided with the remainder.

(3) The Minister shall approve an application for a contribution under this section if he is satisfied that after the execution of the works specified in the application the dwelling will be in such condition as not to be unfit for human habitation and that it is likely to remain in that condition and available for

PART II —*cont.*

use as a dwelling for a period of not less than fifteen years; and he shall not approve the application if he is not so satisfied.

(4) The following authorities in England and Wales shall be local authorities for the purposes of this section, that is to say, the councils of counties, county boroughs, county districts and metropolitan boroughs, and the Common Council of the City of London.

(5) An application under this section shall not be entertained if it relates to a dwelling provided after the end of the year nineteen hundred and forty-four, unless the dwelling was provided by the conversion before the end of the year nineteen hundred and fifty-eight of a building erected before the end of the year nineteen hundred and forty-four.

Amount of contribution under s. 13.

14.—(1) A contribution under section thirteen of this Act shall be a sum payable annually for the twenty financial years beginning with the year in which the works in respect of which it is made are completed, equal to three-eighths of the annual loan charges referable to the amount specified in the following provisions of this section.

(2) The said amount shall, subject to subsection (3) of this section, be the cost shown to have been incurred in executing the works in respect of which the contribution is made.

(3) The said amount shall not exceed three hundred and ten pounds if at the time the works were begun the dwelling was provided with none of the standard amenities and, in any other case, shall not exceed that amount reduced by the following amounts respectively for each of those amenities with which the dwelling was then provided, that is to say—

(*a*) by fifty pounds for the amenity mentioned in paragraph (*a*),

(*b*) by ten pounds for that mentioned in paragraph (*b*),

(*c*) by one hundred and fifty pounds for that mentioned in paragraph (*c*),

(*d*) by eighty pounds for that mentioned in paragraph (*d*),

(*e*) by twenty pounds for that mentioned in paragraph (*e*),

of subsection (1) of section four of this Act.

(4) The reduction required by subsection (3) of this section in respect of any of the standard amenities shall not be made if part of the cost incurred in executing the works was attributable to interference with or replacement of that amenity and the Minister is satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

(5) The Minister may by order vary the amounts specified in subsection (3) of this section, and an order made by the Minister under section four of this Act varying the amenities

which are the standard amenities for the purposes of this Part of this Act may specify the reductions to be made under subsection (3) of this section in respect of those amenities respectively.

(6) The Minister may by order reduce, as respects applications approved after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

Contributions to local authorities under ss. 9 & 12 of Act of 1958

Nature and amount of Exchequer contribution under Act of 1958 for dwellings converted or improved by local authorities.

15.—(1) A contribution to a local authority under section nine of the Act of 1958 (which authorises the Minister to make contributions towards the annual loss likely to be incurred by a local authority in carrying out approved proposals for the conversion or improvement of houses) shall, instead of being such a contribution as is mentioned in that section, be a contribution towards the cost of the works of conversion or improvement required for carrying out the proposals; and the following provisions of this section shall have effect with respect to such a contribution.

(2) The contribution shall be a sum payable annually for the twenty financial years beginning with the year in which the said works are completed, equal to three-eighths of the annual loan charges referable to an amount determined in accordance with subsections (3) and (4) of this section.

(3) The said amount shall be determined by the Minister when approving the proposals, and shall, subject to subsection (4) of this section, be the amount appearing to him to be the cost likely to be incurred by the local authority in carrying out the works.

(4) The amount so determined shall not exceed eight hundred pounds, or such other amount as may be specified by order of the Minister, for each dwelling provided or improved by the works, unless the Minister is satisfied in any particular case that in all the circumstances of the case there is good reason for determining a higher amount.

(5) The Minister may by order reduce, as respects proposals approved after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

(6) A local authority submitting to the Minister such proposals as are mentioned in the said section nine shall furnish to him such estimates and such particulars as he may require for the purposes of this section.

PART II —*cont.*

Local authorities for purposes of s. 9 of Act of 1958.

16. For subsections (4) and (5) of section nine of the Act of 1958 (which specify the local authorities for the purposes of that section) there shall be substituted the following—

"(4) The following shall be local authorities for the purposes of this section, that is to say, the councils of counties, county boroughs, county districts and metropolitan boroughs, and the Common Council of the City of London."

Effect of contribution under s. 13 on contribution under s. 9 of Act of 1958.

17. Where proposals for the improvement of a dwelling are approved under section nine of the Act of 1958 after the approval of an application in respect of that dwelling under section thirteen of this Act, subsection (4) of section fifteen of this Act shall have effect, in relation to the dwelling, as if the amount specified in that subsection or an order made thereunder were reduced by the amount on which the contribution under section thirteen of this Act is based, that is to say, the amount to which the loan charges are referable by reference to which the said contribution is determined under section fourteen of this Act.

Contribution for dwellings improved under arrangements with local authorities.

18.—(1) The sum payable annually by the Minister under section twelve of the Act of 1958 (which provides for the payment of a contribution by the Minister to a local authority who have made arrangements with a housing association or development corporation for the conversion or improvement of houses, and for the payment of grants by the local authority to the association or corporation of amounts not less than the contribution) shall be equal to three-eighths of the annual loan charges referable to an amount determined by the local authority with the approval of the Minister in accordance with subsections (2) and (3) of this section.

(2) The said amount shall, subject to subsection (3) of this section, be the amount appearing to the local authority and the Minister to be the cost likely to be incurred by the association or corporation for the purpose of the execution of any works of conversion or improvement required for carrying out the arrangements.

(3) The amount so determined shall not exceed eight hundred pounds, or such other amount as may be specified by order of the Minister, for each dwelling provided or improved by the works, unless the local authority and the Minister are satisfied in any particular case that in all the circumstances of the case there is good reason for determining a higher amount.

(4) The Minister may by order reduce, as respects arrangements made after such date as may be specified in the order, the proportion of the said annual loan charges, but not below one-third.

PART III

ASSISTANCE FOR IMPROVEMENT OF DWELLINGS IN SCOTLAND

Grants by local authorities for provision of standard amenities

Duty of local authorities to make grants towards certain improvements.

19.—(1) Subject to subsection (6) of this section, a local authority shall give assistance in respect of the improvement of any dwelling by any person other than a local authority by such works as may be required for the dwelling to be provided, for the exclusive use of its occupants, with the standard amenities, that is to say, subject to subsection (2) of this section, all of the following:—

(*a*) a fixed bath or shower in a bathroom;

(*b*) a wash-hand basin;

(*c*) a hot water supply;

(*d*) a water closet; and

(*e*) satisfactory facilities for storing food;

by way of making a grant (in this Part of this Act referred to as a "standard grant") in respect of the cost of executing the works, if an application in that behalf is made by that person to the local authority and approved by them before the works are begun and the works are executed to the satisfaction of the authority.

(2) The Secretary of State may by order vary the class of amenities which are the standard amenities for the purposes of this Part of this Act.

(3) An application under this section must specify the dwelling and the works proposed to be carried out and, where those works comprise the provision of part only of the standard amenities, must contain a statement that the dwelling is already provided with the remainder.

(4) An application under this section must also contain a statement either that the applicant is the occupier of the dwelling or that the occupier has consented in writing to the making of the application.

(5) Where the works include the provision of a hot water supply, their execution must include the connection of the supply to a sink as well as to the bath or shower and the wash-hand basin.

(6) An application under this section shall not be entertained if it relates to a dwelling provided after the end of the year nineteen hundred and forty-four, unless the dwelling was provided by the conversion before the end of the year nineteen hundred and fifty-eight of a building erected before the end of the year nineteen hundred and forty-four.

PART III —*cont.*

Approval of applications for standard grant.

20.—(1) A local authority shall approve an application for a standard grant if they are satisfied of the matters mentioned in subsections (2) and (3) of this section, and shall not approve it if not so satisfied.

(2) The local authority must be satisfied that after the execution of the works specified in the application the dwelling will be in such condition as not to be unfit for human habitation, and that it is likely to remain in that condition and available for use as a dwelling for a period of not less than fifteen years.

(3) The local authority must also be satisfied that the applicant is, in respect of every parcel of land on which the works are to be carried out (other than land proposed to be sold or leased to him under subsection (2) of section sixty-five of the Act of 1950 (which authorises a local authority to dispose of land for the purpose of carrying out works thereon)), either the owner or the lessee under a lease of which there remains unexpired at the date of the application a period of not less than fifteen years.

(4) Where the local authority do not approve an application for a standard grant they shall, if the applicant so requests, notify him in writing of the grounds on which they have not approved it.

Amount of standard grant.

21.—(1) The amount of a standard grant shall, subject to subsection (2) of this section, be one-half of the cost shown to have been incurred in executing the works in respect of which it is made.

(2) The amount of a standard grant shall not exceed one hundred and fifty-five pounds if at the time the works were begun the dwelling was provided with none of the standard amenities and, in any other case, shall not exceed that amount reduced by the following amounts respectively for each of those amenities with which the dwelling was then provided, that is to say—

(*a*) by twenty-five pounds for the amenity mentioned in paragraph (*a*),

(*b*) by five pounds for that mentioned in paragraph (*b*),

(*c*) by seventy-five pounds for that mentioned in paragraph (*c*),

(*d*) by forty pounds for that mentioned in paragraph (*d*),

(*e*) by ten pounds for that mentioned in paragraph (*e*),

of subsection (1) of section nineteen of this Act.

(3) The reduction required by subsection (2) of this section in respect of any of the standard amenities shall not be made if part of the cost incurred in executing the works was attributable to interference with or replacement of that amenity and the local authority are satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

PART III —*cont.*

(4) The Secretary of State may by order vary the amounts specified in subsection (2) of this section, and an order made by the Secretary of State under section nineteen of this Act varying the amenities which are the standard amenities for the purposes of this Part of this Act may specify the reductions to be made under subsection (2) of this section in respect of those amenities respectively.

Application of provisions of Part VII of Act of 1950 as to Exchequer contributions, conditions, etc., and provision as to landholders, etc.

22.—(1) The provisions of sections one hundred and thirteen to one hundred and twenty and sections one hundred and twenty-two to one hundred and twenty-six of the Act of 1950 (which provide for Exchequer contributions towards improvement grants, the observance and enforcement of conditions in connection with such grants, and certain other matters relating to such grants) shall, with the necessary modifications, and, in particular, subject to the next following subsection, apply in relation to standard grants as they apply in relation to improvement grants.

(2) In relation to standard grants section one hundred and seventeen and section one hundred and nineteen of the Act of 1950 shall apply with the omission of subsection (1) (which relates only to assistance in respect of the provision of dwellings).

(3) The provisions of subsection (2) of section nine of the Housing (Scotland) Act, 1952 (which subsection provides that in relation to improvement grants under section one hundred and eleven of the Act of 1950 certain tenants, landholders, crofters and statutory small tenants shall be deemed to be the owners of dwellings and other land occupied by them) shall apply in relation to standard grants as they apply in relation to grants under the said section one hundred and eleven.

Effect of standard grant on application for and limit of improvement grant.

23.—(1) Where, at any time within three years after the making of a standard grant in respect of a dwelling, an application for an improvement grant is made in respect of that dwelling and the application contains a statement of the cost incurred in executing the works in respect of which the standard grant was made, subsection (4) of section one hundred and eleven of the Act of 1950 (which prevents such an application from being entertained unless the estimated amount of the relevant expenses is not less than one hundred pounds or such other amount as may be prescribed) shall have effect, in relation to that application (or, if the dwelling is not the only one to which the application relates, in relation to the application so far as it relates to the dwelling) as if the amount specified in or prescribed under that subsection were reduced by the cost incurred as aforesaid.

(2) Where after the making of a standard grant in respect of a dwelling an improvement grant is made in respect of that dwelling, subsection (1) of section one hundred and twelve of the Act of 1950 (which limits the amount of an improvement

PART III —*cont.*

grant) shall have effect, in relation to that dwelling, as if the sum specified in or prescribed under paragraph (*b*) of that subsection were reduced by the amount of the standard grant.

Amendment of provisions relating to improvement grants

Amendment of provisions of Act of 1950 relating to improvement grants.

24.—(1) In subsection (1) of section one hundred and eleven of the Act of 1950 (which specifies the matters in respect of which a local authority may give assistance by way of improvement grant) for the words "other than the authority" there shall be substituted the words "other than a local authority".

(2) In subsection (1) of section one hundred and fourteen of the Act of 1950 (which requires, in the case of dwellings in respect of which assistance has been given under section one hundred and eleven of that Act, the observance of certain conditions for the period specified in that subsection, that is to say, for twenty years or, in certain cases, a shorter period) there shall be substituted, for the words from "for a period of twenty years" to "beginning in each case with", the words "for a period of ten years, beginning with".

(3) In subsection (1) of the said section one hundred and fourteen for paragraph (*b*) there shall be substituted the following paragraph—

"(*b*) the dwelling shall, at all times at which it is not occupied—

(i) by the applicant for the improvement grant or a member of his family; or

(ii) by a person who on the death of the applicant has (whether or not in consequence of a disposition by will) become beneficially entitled to, or to an interest in, the interest of the applicant in the dwelling or in the proceeds of a sale thereof, or by a member of the family of such a person; or

(iii) by a person who after the expiration of three years from the beginning of the period during which the conditions set out in this section are to be observed has become beneficially entitled to, or to an interest in, the interest of the applicant in the dwelling or in the proceeds of a sale thereof, or by a member of the family of such a person; or

(iv) by a member of the agricultural population in pursuance of a contract of service and otherwise than as a tenant;

be let or kept available for letting."

(4) So much of section one hundred and fourteen of the Act of 1950 as requires the owner of a dwelling in respect of which assistance has been given under section one hundred and eleven

PART III —*cont.*

of that Act to repay to the local authority in the event of the voluntary alienation of the dwelling by him any part of the assistance so given shall cease to have effect.

(5) Any notice which in accordance with subsection (5) of section one hundred and fourteen of the Act of 1950 was recorded in the appropriate Register of Sasines and was, immediately before the commencement of this Act, in force with respect to a dwelling, shall as from the commencement of this Act have effect as if—

(*a*) for the conditions specified therein as required to be observed with respect to the dwelling by virtue of the said section one hundred and fourteen as in force at the time when the notice was so recorded there were substituted the conditions required to be observed with respect to a dwelling by virtue of the said section as amended by the foregoing provisions of this section; and

(*b*) any reference therein to any liability of the owner of the dwelling to repay to the local authority on a voluntary alienation of the dwelling any part of the sums paid by way of improvement grant in respect thereof were omitted.

PART IV

MISCELLANEOUS AND GENERAL

Abolition of contributions to development corporations.

25. Section eleven of the Act of 1958 (which empowers the Minister to make the like contribution to a development corporation as he has power to make to a local authority under section nine of that Act) and section one hundred and ten of the Act of 1950 (which makes similar provision as respects Scotland) shall cease to have effect.

Omission of certain dwellings from Housing Revenue Account.

26. In subsection (1) of section fifty of the Act of 1958 (which requires a local authority to keep a Housing Revenue Account in respect of certain property described in paragraphs (*a*) to (*f*) of that subsection) paragraph (*c*) (dwellings provided or improved by a local authority in accordance with improvement proposals approved by the Minister under section nine of that Act) shall be omitted, and at the end of paragraph (*b*) of subparagraph (1) of paragraph 1 of the Fifth Schedule to that Act (which requires a local authority to carry to the credit of the account amounts including, among other things, contributions paid to them under the said section nine) there shall be added the words " in respect of houses and other property within the account ".

Effect of standard grant on adjustment of rent limit.

27. Section five of the Rent Act, 1957 (which provides for an increase of the rent limit under a controlled tenancy where money has been spent by the landlord on the improvement of

PART IV —*cont.*

the dwelling) shall have effect as if references to a standard grant (within the meaning of Part II of this Act) were included in the references to an improvement grant in the proviso to subsection (3) of that section (which limits the right of the tenant to apply for the cancellation or reduction of the increase on the ground that the improvement was unnecessary) and in subsection (4) of that section (which prevents the amount of the grant from being taken into account as an amount spent by the landlord).

Orders and regulations.

28.—(1) Any order made under any provision of this Act may be varied or revoked by a subsequent order made thereunder.

(2) An order made under subsection (6) of section fourteen, subsection (5) of section fifteen or subsection (4) of section eighteen of this Act shall be made by statutory instrument and—

(*a*) shall not be made unless a draft thereof has been approved by a resolution of the Commons House of Parliament;

(*b*) shall not specify a date earlier than the date of the laying of the draft;

and before laying such a draft the Minister shall consult with such associations of local authorities as appear to him to be concerned and with any local authority with whom consultation appears to him to be desirable.

(3) Any order made under any other provision of this Act and any regulations made under section one thereof shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Interpretation.

29.—(1) In this Act—

"the Act of 1950" means the Housing (Scotland) Act, 1950;

"the Act of 1958" means the Housing (Financial Provisions) Act, 1958;

"controlled tenancy" has the same meaning as in the Rent Act, 1957;

"improvement grant" means a grant under section thirty of the Act of 1958 or under section one hundred and eleven of the Act of 1950;

"the Minister" means the Minister of Housing and Local Government or, as respects Scotland, the Secretary of State;

"permanent building society" means a society incorporated under the Building Societies Acts, 1874 to 1940, which is a permanent society within the meaning of those Acts;

PART IV —*cont.*

" standard amenities " and " standard grant " have, in Part II of this Act, the meanings assigned to them by section four of this Act and, in Part III of this Act, the meanings assigned to them by section nineteen thereof;

" the valuation officer ", in relation to a valuation list, means any officer of the Commissioners of Inland Revenue who is for the time being appointed by the Commissioners to be the valuation officer or one of the valuation officers, or to be the deputy valuation officer or one of the deputy valuation officers, in relation to that list.

(2) Section four of the Housing Act, 1957, and, in Scotland, subsection (2) of section one hundred and eighty-four of the Act of 1950, shall apply to the determination for the purposes of this Act of any question whether any dwelling will be unfit for human habitation as they apply to the determination of such questions for the purposes of those Acts respectively.

(3) For the purposes of this Act, the annual loan charges referable to any amount shall be the annual sum that, in the opinion of the Minister, would fall to be provided by a local authority for the payment of interest on, and the repayment of, a loan of that amount repayable over a period of twenty years.

(4) Any reference in this Act to any other enactment is a reference thereto as amended by any subsequent enactment including, except where the context otherwise requires, this Act.

Payment out of moneys provided by Parliament and payment into Exchequer.

30.—(1) There shall be defrayed out of moneys provided by Parliament—

(*a*) any contributions made to local authorities under this Act;

(*b*) any increase attributable to this Act in the sums payable out of moneys provided by Parliament under the Act of 1958 or the Act of 1950;

(*c*) any increase attributable to this Act in the sums payable by way of Rate-deficiency Grant or Exchequer Equalisation Grant under the enactments relating to local government in England and Wales or in Scotland; and

(*d*) any administrative expenses incurred by the Minister under this Act.

(2) Any sums received by the Minister by virtue of Part II or Part III of this Act shall be paid into the Exchequer.

Amendments, repeal and saving.

31.—(1) The Act of 1958 shall have effect subject to the amendments specified in Part I of the First Schedule to this Act, being amendments consequential on the provisions of Part II of this Act or for applying to those provisions certain provisions

PART IV —*cont.*

of the Act of 1958; and the Act of 1950 shall have effect subject to the amendments specified in Part II of the First Schedule to this Act, being amendments consequential on the provisions of Part III of this Act.

(2) The enactments specified in the Second Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(3) This Act shall not affect the payment or amount of any grant or contribution payable in pursuance of any proposals or application approved, or arrangements made, before the commencement of this Act.

Short title, citation, construction, commencement and extent.

32.—(1) This Act may be cited as the House Purchase and Housing Act, 1959; and—

(*a*) this Act, except so far as it extends to Scotland only, and the Act of 1958 may be cited together as the Housing (Financial Provisions) Acts, 1958 and 1959; and

(*b*) this Act, so far as it extends to Scotland, and the Housing (Scotland) Acts, 1950 to 1957, may be cited together as the Housing (Scotland) Acts, 1950 to 1959.

(2) Part III of this Act shall be construed as one with the Act of 1950.

(3) This Act shall come into force on the expiration of a period of one month beginning with the day on which it is passed.

(4) Part III of this Act and Part II of the First Schedule thereto extend to Scotland only, and the following provisions of this Act do not extend to Scotland, that is to say, Part II, sections twenty-six and twenty-seven, and Part I of the First Schedule.

SCHEDULES

Sections 31, 32.

FIRST SCHEDULE

AMENDMENTS OF HOUSING (FINANCIAL PROVISIONS) ACT, 1958, AND HOUSING (SCOTLAND) ACT, 1950

PART I

AMENDMENTS OF ACT OF 1958

1. In subsection (1) of section nine, for the words from "and may" to the end of the subsection there shall be substituted the words "and may make a contribution towards the cost of the works of conversion or improvement required for carrying out approved improvement proposals."

2. In subsection (1) of section twelve, for the words from "equal to" to "the arrangements" there shall be substituted the words "determined in accordance with section eighteen of the House Purchase and Housing Act, 1959."

1ST SCH. —*cont.*

3. In section twenty-five, the references to sections one to ten of the Act of 1958 shall be deemed to be references to sections one to nine of that Act and to sections thirteen and fourteen of this Act, and the references to the Act of 1958 in the proviso to subsection (2) of the section shall be deemed to include references to this Act.

4. In section twenty-eight, after the words " the Housing (Financial and Miscellaneous Provisions) Act, 1946 " there shall be inserted the words " or the House Purchase and Housing Act, 1959 ".

5. In section fifty-four the references to the purposes of the Act of 1958 shall be deemed to include references to the purposes of this Act.

6. In subsection (1) of section fifty-five there shall be added, at the end, the words " and the House Purchase and Housing Act, 1959."

7. Section fifty-seven shall apply in relation to this Act as it applies in relation to the provisions specified in subsection (3) of that section.

8. In subsection (2) of section fifty-eight there shall be added, at the end, the words " section thirteen of the House Purchase and Housing Act, 1959."

9. The reference in paragraph 9 of the Fourth Schedule to sub-paragraphs (*a*) and (*b*) of paragraph 3 of that Schedule shall be deemed to include a reference to the sub-paragraph inserted by subsection (3) of section eleven of this Act.

PART II

AMENDMENTS OF ACT OF 1950

10. Subsection (2) of section one hundred and twenty-eight (which subsection relates to the time and manner in which contributions under certain enactments shall be payable) and section one hundred and twenty-nine (which relates among other things to the failure of a local authority to discharge any duty, or exercise any power, under certain enactments) shall apply in relation to section one hundred and sixteen of the Act of 1950 as applied by section twenty-two of this Act as they apply in relation to the enactments specified in Part II of the Sixth Schedule, and accordingly the said Part II shall have effect with the addition, at the end thereof, of the words—

" 14. Section one hundred and sixteen of this Act as applied by section twenty-two of the House Purchase and Housing Act, 1959."

11. Subsection (1) of section one hundred and eighty-four and Part I of the Sixth Schedule (which together define the expression " Exchequer contribution ") shall have effect with the addition, at the end of the said Part, of the words—

" 14. Section one hundred and sixteen of this Act as applied by section twenty-two of the House Purchase and Housing Act, 1959."

SECOND SCHEDULE

Section 31.

ENACTMENTS REPEALED

Session and Chapter	Short Title	Extent of Repeal
13 & 14 Geo. 5. c. 24.	The Housing, &c. Act, 1923.	In section twenty-two, in paragraph (*d*), the words " ninety per cent. of ".
14 Geo. 6. c. 34.	The Housing (Scotland) Act, 1950.	In section seventy-five, in paragraph (*b*) of subsection (3), the words "nine-tenths of" in both places where they occur; and in subsection (4), the words from "shall not be made" to "such an advance" and the words from "In the case" to the end of the subsection. Section one hundred and ten. In section one hundred and fourteen, in subsection (2), the words " or in the event of the voluntary alienation of a dwelling by the owner thereof during the said period ", and the words " or of the voluntary alienation of the dwelling, as the case may be "; in subsection (5), the words " or on a voluntary alienation of the dwelling "; in subsection (6) the words " or of a voluntary alienation of the dwelling ". In section one hundred and twenty-six, in subsection (1), the words from " voluntary alienation " to the end of the subsection.
15 & 16 Geo. 6. & 1 Eliz. 2. c. 63.	The Housing (Scotland) Act, 1952.	In section six, subsection (1); and in subsection (3), the words " and occupation (except in relation to occupation by an employer),".
6 & 7 Eliz. 2. c. 42.	The Housing (Financial Provisions) Act, 1958.	In section nine, in subsection (1), the words " and the next following ". Sections ten and eleven. In section twelve, the proviso to subsection (1); and subsection (3). In section thirty-three, subsection (2). In section thirty-five, in subsection (1), the words " if the local authority so agree " and the words " subsection (2) of ".

2ND SCH. —*cont.*

Session and Chapter	Short Title	Extent of Repeal
6 & 7 Eliz. 2. c. 42—*cont.*	The Housing (Financial Provisions) Act, 1958 —*cont.*	In section forty-three, in paragraph (*b*) of subsection (3), the words "ninety per cent. of" in both places where they occur; and in subsection (4), the words from "shall not be made" to "such an advance" and the words from "In the case" to the end of the subsection. In section fifty, in subsection (1), paragraph (*c*).

Table of Statutes referred to in this Act

Short Title	Session and Chapter
Trusts (Scotland) Act, 1921	11 & 12 Geo. 5. c. 58.
Housing, &c. Act, 1923	13 & 14 Geo. 5. c. 24.
Trustee Act, 1925	15 & 16 Geo. 5. c. 19.
National Loans Act, 1939	2 & 3 Geo. 6. c. 117.
Housing (Financial and Miscellaneous Provisions) Act, 1946.	9 & 10 Geo. 6. c. 48.
Housing (Scotland) Act, 1950	14 Geo. 6. c. 34.
Housing (Scotland) Act, 1952	15 & 16 Geo. 6 & 1 Eliz. 2. c. 63.
Rent Act, 1957	5 & 6 Eliz. 2. c. 25.
Housing Act, 1957	5 & 6 Eliz. 2. c. 56.
Housing (Financial Provisions) Act, 1958 ...	6 & 7 Eliz. 2. c. 42.