EXPLANATORY NOTE

(This Note is not part of the Regulations but is intended to indicate their general purport.)

These Regulations lay down the procedure for payment by the National Debt Commissioners of Government life annuities and of those savings bank annuities which are paid direct to the annuitant by the Commissioners.

The Regulations re-enact with minor amendments such of the provisions of the National Debt Office Payment Regulations, 1930 (S.R. & O. 1930/137 (Rev. IX, p. 733: 1930, p. 1086)), as relate to annuities. Those Regulations are revoked so far as they relate to annuities under the Government Annuities Act, 1929.

HOUSING, SCOTLAND

1958 No. 30 (S. 1)

The Housing (Forms) (Scotland) Amendment Regulations, 1958

Made - - - -	*6th January*, 1958
Laid before Parliament	*16th January*, 1958
Coming into Operation	*17th January*, 1958

In exercise of the powers conferred on me by subsection (5) of section 114, section 122 and subsection (1) of section 172 of the Housing (Scotland) Act, 1950(a), as read with section 6 of the Housing (Scotland) Act, 1952(b), Part I of the Housing (Repairs and Rents) (Scotland) Act, 1954(c), and sections 20 and 22 of the Housing and Town Development (Scotland) Act, 1957(d), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1.—(1) These regulations may be cited as the Housing (Forms) (Scotland) Amendment Regulations, 1958, and shall come into operation on the 17th day of January, 1958.

(2) The Interpretation Act, 1889(e), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

2. The Schedule to the Housing (Forms) (Scotland) Regulations, 1951(f), as amended(g) shall have effect subject to the following amendments:—

(*a*) In the List of Forms there shall be added the titles of Forms Nos. 25B, 26A, 27A, 28A, 29A, 30A, 31A and 56 in the List of Forms set out in Part I of the First Schedule hereto.

(a) 14 Geo. 6. c. 34.
(b) 15 & 16 Geo. 6 & 1 Eliz. 2. c. 63.
(c) 2 & 3 Eliz. 2. c. 50.
(d) 5 & 6 Eliz. 2. c. 38.
(e) 52 & 53 Vict. c. 63.
(f) S.I. 1951/774 (1951 I, p. 1005).
(g) S.I. 1952/2178, 1955/288 (1952 I, p. 1157; 1955 I, p. 960).

(*b*) After Form 25A, 26, 27, 28, 29, 30, 31 and 55 respectively there shall be inserted Form 25B, 26A, 27A, 28A, 29A, 30A, 31A and 56 respectively set out in Part II of the First Schedule hereto.

(*c*) Forms 5 to 8, 12, 13, 42 and 52 to 54 shall have effect subject to the amendments set out in the Second Schedule hereto.

(*d*) The title to Form 46 in the List of Forms and Form 46 shall be omitted.

John S. Maclay,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
24th December, 1957.

We consent,

Martin Redmayne,
Anthony Barber,
Two of the Lords Commissioners of Her Majesty's Treasury.

6th January, 1958.

FIRST SCHEDULE

PART I

LIST OF FORMS

*The forms marked * are to be suitably amended for use in certain other cases as set forth in the note to the form*

Form 25B. Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

Form 26A. Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of land surrounded by or adjoining a clearance area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

Form 27A. Form of advertisement under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.*

Form 28A. Form of notice under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 to owners, superiors, holders of heritable securities, lessees and occupiers, of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

Form 29A. Form of notice under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 to owners, superiors, holders of heritable securities, lessees and occupiers, of the making of a compulsory purchase order in respect of land surrounded by or adjoining a clearance area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.*

Form 30A. Form of advertisement and notice under section 29 and paragraph 1 of the Second Schedule to the Housing (Scotland) Act, 1950 of confirmation of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.*

Form 31A. Form of compulsory purchase order under section 32 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of cleared land which owners have failed to redevelop and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

Form 56. Form of notice under section 20 (3) of the Housing and Town Development (Scotland) Act, 1957, that no payment falls to be made under section 20 (2) of that Act.

PART II

FORM 25B

[1]Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957.

COMPULSORY PURCHASE ORDER

Whereas the [2].....,, the local authority under the Housing (Scotland) Acts, 1950 to 1957 (which Council are hereafter in this order referred to as " the local authority "), being satisfied as respects an area in their district that

(1) [3][the houses in that area] [the greater part of the houses in that area] are by reason of disrepair or sanitary defects unfit for human habitation, or are by reason of their bad arrangement or the narrowness or bad arrangement of the streets injurious or dangerous to the health of the inhabitants of the area ; and

(2) the most satisfactory method of dealing with the aforesaid conditions is the demolition of all the buildings in the area ;

have, in exercise of the powers conferred upon them by section 25 of the Housing (Scotland) Act, 1950 (hereafter in this order referred to as " the Act of 1950 ") caused that area to be defined on a map in such a manner as not to include in the area the site of a building unless at least part of the building consists of houses which are unfit for human habitation or injurious or dangerous to health, or of other premises which are injurious or dangerous to health ;

And Whereas the local authority have satisfied themselves, in accordance with the requirements of the said section 25 of the Act of 1950, that accommodation available for the persons who will be displaced by the demolition of buildings in the area exists, or can be provided by the local authority in advance of the displacements which will from time to time become necessary as the demolition proceeds, and that the resources of the local authority are sufficient for the purpose of carrying into effect the resolution hereinafter referred to ;

And Whereas the local authority at a meeting held on the ..... day of ....., 19....., passed a resolution declaring the area so defined to be a clearance area, which area is known as the [4]..... Clearance Area;

And Whereas, in further exercise of the powers conferred upon them by the said section 25 of the Act of 1950, the local authority have by a resolution passed at a meeting held on the.....day of....., 19..., determined to proceed to secure the clearance of [8][the area] [part of the area] by purchasing the land hereinafter described comprised therein and themselves undertaking, or otherwise securing, the demolition of the buildings on the said land;

[5][And Whereas the local authority, in exercise of the powers conferred upon them by section 27 of the Act of 1950, have by a resolution passed at a meeting on the.....day of....., 19..., determined to purchase certain other land hereinafter mentioned as [8][being land surrounded by the clearance area the acquisition of which is reasonably necessary for the purpose of securing an area of convenient shape and dimensions] [being land adjoining the clearance area the acquisition of which is reasonably necessary for the satisfactory development or use of the clearance area]];

Now, therefore, the local authority, in exercise of the powers conferred upon them by section 29 of the Act of 1950, hereby make the following Compulsory Purchase Order:—

1. Subject to the provisions of this order, the local authority are hereby authorised to purchase compulsorily for the purposes of Part III of the Act of 1950 the land and buildings described in the schedule hereto.

2. [(1)] The land and buildings specified in Parts I and II of the said schedule and edged yellow and coloured red on a map marked [6]..... and signed and sealed with reference to this order and deposited at the offices of the local authority, are land and buildings within the clearance area.

[5][(2) The land and buildings specified in Part III of the said schedule and coloured blue on the said map are land and buildings outside the clearance area.]

3. The houses specified in Part I of the said schedule are the houses within the clearance area which are unfit for human habitation.

4. Subject to the necessary adaptations—

(*a*) the Lands Clauses Acts (except sections 120 to 125 of the Lands Clauses Consolidation (Scotland) Act, 1845);

(*b*) the Acquisition of Land (Assessment of Compensation) Act, 1919; and

(*c*) section 70 of the Railways Clauses Consolidation (Scotland) Act, 1845, and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act, 1923,

as modified by the Third Schedule to the Act of 1950, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.

5. Application is hereby made to the Secretary of State under section 22 of the Housing and Town Development (Scotland) Act, 1957 for the inclusion in the order as confirmed by him of a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to this order as respects [8][the whole of the land comprised herein] [so much of the land comprised herein as is hatched ..... on the map].

6. For the purposes of clause (*b*) of sub-paragraph 3 of paragraph 1 of the said Sixth Schedule a long tenancy which is about to expire shall be a tenancy expiring on or before the date entered in column (6) of the schedule hereto[7] in respect of any tenancy described therein.

[8][7. The period of.....is hereby substituted for the period of two months for the purposes of the operation of sub-paragraph (2) of paragraph 3 of the said Sixth Schedule.]

8.—(1) This order may be cited as the [9].....Clearance Area Compulsory Purchase Order, 19....

(2) The Interpretation Act, 1889, shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

[10]Given under the seal of the [2].....this..... day of....., 19....

(L.S.) .....

(*Signature of Clerk to the local authority*).

SCHEDULE

PART I

Houses within the clearance area which are unfit for human habitation

Numbers on map deposited at offices of the local authority (1)	Description and situation of the houses (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or a less period than a month) (5)	Date defining a long tenancy about to expire (6)

PART II

Land and buildings within the clearance area other than houses which are unfit for human habitation

Numbers on map deposited at offices of the local authority (1)	Description and situation of the land and buildings (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or a less period than a month) (5)	Date defining a long tenancy about to expire (6)

[5][PART III]

Land and buildings outside the clearance area

Numbers on map deposited at offices of the local authority (1)	Description and situation of the land and buildings (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or a less period than a month) (5)	Date defining a long tenancy about to expire (6)

Notes for guidance in completing this form

[1]Form 26A should be used where it is proposed to acquire separately land surrounded by or adjoining a clearance area and application is to be included in the order for a direction under section 22 of the Housing and Town Development (Scotland) Act, 1957.

In cases to which this form of compulsory purchase order applies, Form 27A is the appropriate form of advertisement; Form 28A is the appropriate form of notice to owners, etc.; and Form 30A is the appropriate form of advertisement and notice of confirmation.

[2]Insert the name of the local authority.

[3]Delete the words which are not applicable.

[4]Insert the name by which the clearance area is known.

[5]Delete this, if it is not applicable, making any necessary consequential alterations.

[6]The map should be identified by a heading in the terms of the short title to this order.

[7]The date inserted in column (6) of the schedule shall be at least a year later than the estimated date of recording of the order, if confirmed, in the appropriate Register of Sasines.

[8]Insert this paragraph where it is desired to take advantage of the proviso to paragraph 3 (2) of the Sixth Schedule.

[9]Insert a suitable short title.

[10]See section 167 (1) of the Act of 1950 as to the signing and sealing of orders.

Notes for local authority

The notes to Form 25 apply with the addition at the end thereof of the following:—

In accordance with section 22 (1) of the Housing and Town Development (Scotland) Act, 1957 a local authority may in the circumstances therein provided for include in a compulsory purchase order under section 29 (1) of the Act of 1950 an application for a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 shall apply to the order or, as the case may be, to the order so far as it relates to the part of the land in question.

FORM 26A

[1]Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of land surrounded by or adjoining a clearance area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

COMPULSORY PURCHASE ORDER

Whereas the [2]....., the local authority under the Housing (Scotland) Acts, 1950 to 1957 (which Council are hereafter in this order referred to as "the local authority"), in accordance with the provisions of section 25 of the Housing (Scotland) Act, 1950 (hereafter in this order referred to as "the Act of 1950") passed at a meeting held on the ..... day of ....., 19....., a clearance resolution declaring a certain area in their district, as defined on a map, to be a clearance area, which area is known as the [3]..... Clearance Area;

And Whereas the local authority by a resolution passed at a meeting held on the ..... day of ....., 19....., determined to purchase [4][the land] [part of the land] comprised in the said clearance area and [5][they were authorised to purchase the said land compulsorily by the [6]..... Compulsory Purchase Order, 19....., confirmed by the Secretary of State on the ..... day of .....];

And Whereas the local authority, in exercise of the powers conferred upon them by section 27 of the Act of 1950 have, by a resolution passed at a meeting on the ..... day of ....., 19....., determined to purchase the land hereinafter described as [4][being land surrounded by the clearance area the acquisition of which is reasonably necessary for the purpose of securing an area of convenient shape and dimensions] [being land adjoining the clearance area the acquisition of which is reasonably necessary for the satisfactory development or use of the clearance area];

Now, therefore, the local authority, in exercise of the powers conferred upon them by section 29 of the Act of 1950, hereby make the following Compulsory Purchase Order:—

1. Subject to the provisions of this order, the local authority are hereby authorised to purchase compulsorily for the purposes of Part III of the Act of 1950, the land described in the schedule hereto, which land is coloured blue on a map marked [7]..... and signed and sealed with reference to this order and deposited at the offices of the local authority.

2. Subject to the necessary adaptations—

(*a*) the Lands Clauses Acts (except sections 120 to 125 of the Lands Clauses Consolidation (Scotland) Act, 1845);

(*b*) the Acquisition of Land (Assessment of Compensation) Act, 1919; and

(*c*) section 70 of the Railways Clauses Consolidation (Scotland) Act, 1845, and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act, 1923,

as modified by the Third Schedule to the Act of 1950, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.

3. Application is hereby made to the Secretary of State under section 22 of the Housing and Town Development (Scotland) Act, 1957 for the inclusion in the order as confirmed by him of a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set

out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to this order as respects [4][the whole of the land comprised herein] [so much of the land comprised herein as is hatched ..... on the map.]

4. For the purposes of clause (*b*) of sub-paragraph 3 of paragraph 1 of the said Sixth Schedule a long tenancy which is about to expire shall be a tenancy expiring on or before the date entered in column (6) of the schedule hereto[8] in respect of any tenancy described therein.

[9][5. The period of ..... is hereby substituted for the period of two months for the purposes of the operation of sub-paragraph (2) of paragraph 3 of the said Sixth Schedule.]

6.—(1) This order may be cited as the [10]..... Compulsory Purchase Order, 19.....

(2) The Interpretation Act, 1889, shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

[11]Given under the seal of the [2].....
this ..... day of ....., 19.....

(L.S.)

.....
(*Signature of Clerk to the local authority*)

SCHEDULE

Numbers on map deposited at offices of the local authority (1)	Description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or a less period than a month) (5)	Date defining a long tenancy about to expire (6)

Notes for guidance in completing this form

[1]In cases to which this form of compulsory purchase order applies, Form 27A, suitably amended, should be the form of advertisement used; Form 29A is the appropriate form of notice to owners, etc.; and Form 30A suitably amended, should be used as the form of advertisement and notice of confirmation.

[2]Insert the name of the local authority.

[3]Insert the name by which the clearance area is known.

[4]Delete the words which are not applicable.

[5]This will require alteration if the land was purchased by agreement.

[6]Insert short title of that compulsory purchase order.

[7]The map should be identified by a heading in the terms of the short title to this order.

[8]The date inserted in column (6) of the schedule shall be at least a year later than the estimated date of the recording of the order, if confirmed, in the appropriate Register of Sasines.

[9]Insert this paragraph where it is desired to take advantage of the proviso to paragraph 3(2) of the Sixth Schedule.

[10]Insert a suitable short title.

[11]See section 167(1) of the Act of 1950 as to the signing and sealing of orders.

Notes for local authority

The notes to Form 26 apply with the addition at the end of the following:—

In accordance with section 22(1) of the Housing and Town Development (Scotland) Act, 1957, a local authority may in the circumstances therein provided for include in a compulsory purchase order under section 29(1) of the Act of 1950 an application for a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945, shall apply to the order or, as the case may be, to the order so far as it relates to the part of the land in question.

FORM 27A

[1]Form of advertisement under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

The[2] ..... Clearance Area Compulsory Purchase Order, 19.....

Notice is hereby given that the[8] ....., the local authority under the Housing (Scotland) Acts, 1950 to 1957, have, in exercise of the powers conferred upon them by the Housing (Scotland) Act, 1950, on the ..... day of ....., 19....., made the above-mentioned compulsory purchase order authorising them to purchase compulsorily for the purposes of Part III of that Act, the land described in the schedule hereto, which land comprises[4] [(1)] land within an area declared to be a clearance area by a resolution of the local authority dated the ....day of ....., 19..... [4][and (2) land surrounded by or adjoining the said clearance area].

The order, which comes into operation only if confirmed by the Secretary of State, is about to be submitted to him for confirmation.

Copies of the order and of the map referred to therein and a map showing the clearance area, have been deposited at[5] ..... and may be seen there without payment of fee between the hours of ..... and .....

Application is included in the order for a direction under section 22 of the Housing and Town Development (Scotland) Act, 1957 that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to the order as respects [6][the whole of the land comprised therein] [so much of the land comprised therein as is hatched ..... on the map referred to therein]. The general effect of such application of the Sixth Schedule is set out below, but reference should be made to the Sixth Schedule itself for its precise operation.

(i) The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, as applicable to the purchase, would have effect as if notices to treat had been served on the date on which the order is recorded in the appropriate Register of Sasines. In the case of short tenancies, and long tenancies about to expire, notices would not be deemed to have been served, and actual notices to treat would require to be served.

(ii) The said[3] ..... would be entitled, after the execution of a declaration, to enter on and take possession of the land in the area designated by the declaration at the expiration of the period specified therein, and such land would vest in the said[3] .....

Dated this ..... day of ....., 19....

.....

(Signature of Clerk to the local authority.)

SCHEDULE

(Here insert a description of the land to which the compulsory purchase order applies, such as will enable the land to be identified.)

Notes for guidance in completing this form

[1]This form is prepared in relation to the case of a compulsory purchase order to which Form 25B applies. It should be suitably amended to meet the case of a compulsory purchase order made in either of the Forms 26A or 31A.

[2]Insert the title of the order.

[3]Insert the name of the local authority.

[4]Delete this if it is not applicable.

[5]Insert the address of the place of deposit.

[6]Delete the words which are not applicable.

Note for local authority

The local authority should forward to the Secretary of State, by addressing it to the Secretary, Department of Health for Scotland, St. Andrew's House, Edinburgh 1, a copy of this advertisement immediately after publication, and should at the same time state the time specified in the notices served on owners, superiors, lessees, and others, within which objections to the order are to be lodged with the Secretary of State.

FORM 28A

[1]Form of notice under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 to owners, superiors, holders of heritable securities, lessees and occupiers, of the making of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

The [2].....Clearance Area Compulsory Purchase Order, 19.....

To [3].....

Take notice that the [4]....., the local authority under the Housing (Scotland) Acts, 1950 to 1957 (which Council are hereafter in this notice referred to as "the local authority"), have, in exercise of the powers conferred upon them by the Housing (Scotland) Act, 1950 (hereafter in this notice referred to as "the Act of 1950"), on the ..... day of ....., 19..., made the above-mentioned compulsory purchase order authorising them to purchase compulsorily for the purposes of Part III of the Act of 1950, the land specified in the schedule to the order.

The order includes the land (with the houses and other buildings thereon) described in the schedule hereto, in which property you are believed to be interested as

[5] owner. / superior. / holder of a heritable security. / lessee. / occupier.

The order, which comes into operation only if confirmed by the Secretary of State, is about to be submitted to him for confirmation.

Any objections to the order must be made in writing, stating the grounds of objection, and lodged with the Secretary of State by addressing them to the Secretary, Department of Health for Scotland, St. Andrew's House, Edinburgh, 1, before the [6].....day of....., 19.....

A copy of any objection lodged should also be sent to the Clerk to the local authority at [7].....

Copies of the order and of the map referred to therein and a map showing the clearance area have been deposited at [8]..... and may be seen there without payment of fee between the hours of..... and .....

Application is included in the order for a direction under section 22 of the Housing and Town Development (Scotland) Act, 1957, that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to the order as respects [5][the whole of the land comprised therein] [so much of the land comprised therein as is hatched ..... on the map referred to therein]. The general effect of such application of the Sixth Schedule is set out below, but reference should be made to the Sixth Schedule itself for its precise operation.

(i) The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, as applicable to the purchase, would have effect as if notices to treat had been served on the date on which the order is recorded in the appropriate Register of Sasines. In the case of short tenancies, and long tenancies about to expire, notices would not be deemed to have been served, and actual notices to treat would require to be served.

(ii) The said [4]..... would be entitled, after the execution of a declaration, to enter on and take possession of the land in the area designated by the declaration at the expiration of the period specified therein, and such land would vest in the said [4].....

[9][The order refers to each of the properties in which you are believed to be interested as being in the Part or Parts of the schedule to the order mentioned in the last column of the schedule hereto set opposite to the description of the property. (Notes are appended hereto explanatory of the effect of the inclusion of properties in these Parts of the schedule to the order.)]

The Act of 1950 provides that if no objection is duly made by the owner or lessee or occupier of, or the superior of, or the holder of a heritable security over, any land or building to which the order applies, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order with or without modification. The Act of 1950 also provides that the Secretary of State may require any person who has made objection to the order to state in writing the grounds thereof, and may confirm the order without causing a public local inquiry to be held if he is satisfied that every objection duly made relates exclusively to matters which can be dealt with by the Lands Tribunal by whom the compensation is to be assessed. But in any other case, the Secretary of State shall, before confirming the order, cause a public local inquiry to be held, and shall consider any objection not withdrawn and the report of the person who held the inquiry, and may then confirm the order either with or without modification.

Section 39 of the Act of 1950 provides (*quote so far as applicable*).

Before confirming the order, the Secretary of State is required to send a copy of the order as proposed to be confirmed to every person who, having given notice to the Secretary of State of his objection to the order, appeared at the inquiry in support of his objection, and to consider any representations that may be submitted to the Secretary of State in writing with respect thereto within fourteen days after the date on which the copy of the order has been so sent.

The Act of 1950 provides that when a compulsory purchase order has been confirmed by the Secretary of State it shall become operative at the expiration of thirty days from the date on which notice of its confirmation is published in accordance with the provisions of that Act but if, in accordance with the provisions of the Second Schedule to the Act of 1950, proceedings in the Court of Session are instituted within that period by an aggrieved person desirous of questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act of 1950 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act of 1950 not having been complied with, set aside the order either generally or in so far as it affects any property of the applicant, or do otherwise as shall appear to the Court to be just.

Section 31 of the Act of 1950 provides that (*here quote the whole of section* 31).

Dated this.....day of....., 19.....

.....

(*Signature of Clerk to the local authority*).

SCHEDULE

Numbers on map deposited at offices of the local authority	Description and situation of the land and houses or other buildings	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or a less period than a month)	[9]Part of the schedule to the compulsory purchase order in which the houses or buildings are specified[10]	[11]Date defining a long tenancy about to expire
(1)	(2)	(3)	(4)	(5)	(6)	(7)

[9][*Explanatory notes as to the effect of the inclusion of houses and premises in the schedule to the compulsory purchase order*

(1) [12]Parts I and II of the schedule to the compulsory purchase order specify the land and buildings within the clearance area. Part III of the schedule specifies the land and buildings outside the clearance area, that is to say, land which is surrounded by the clearance area and the acquisition of which is reasonably necessary for the purpose of securing an area of convenient shape and dimensions, and adjoining land the acquisition of which is reasonably necessary for the satisfactory development or use of the clearance area. Part I of the schedule to the order specifies the houses within the clearance area which are unfit for human habitation.

(2) In the case of a house specified in Part I of the schedule to the compulsory purchase order as unfit for human habitation, the compensation which will be payable if the order is confirmed by the Secretary of State may be less than, but shall not exceed, the value, at the time when the valuation is made, of the site as a cleared site available for development in accordance with the requirements of the building regulations for the time being in force in the district.

In the case of the land including the buildings thereon specified in Parts II and III of the schedule to the order the compensation which will be payable, if the order is confirmed by the Secretary of State, will be assessed in accordance with the provisions of the Fourth Schedule to the Act of 1950.

Subject to these two modifications, the compensation will be assessed in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919, as read with the Town and Country Planning (Scotland) Acts, 1947 to 1954.]

Notes for guidance in completing this form

[1] This form is prepared in relation to the case of a compulsory purchase order to which Form 25B applies.

[2] Insert the title of the order.

[3] Insert the name and residence or place of business of the person to whom the notice is addressed.

[4] Insert the name of the local authority.

[5] Delete the words which are not applicable.

[6] It is suggested that the period within which objections must be lodged should be not less than 21 days from the date of notice.

[7] Insert the address to which copy of objections should be sent.

[8] Insert the address of the place of deposit.

[9] This paragraph and also column (6) of the schedule and all the explanatory notes as to the effect of the inclusion of houses and premises in the schedule to the order should be omitted from the notices to lessees and occupiers.

[10] Insert in this column " Part I " or " Part II " or " Part III ".

[11] The date to be inserted in column (7) should be the same as that inserted in column (6) of the schedule to the compulsory purchase order.

[12] The explanatory notes should be amended by deleting therefrom any parts which are not applicable, and making all necessary consequential amendments.

FORM 29A

[1]Form of notice under section 29 and paragraph 4 of the Third Schedule to the Housing (Scotland) Act, 1950 to owners, superiors, holders of heritable securities, lessees and occupiers, of the making of a compulsory purchase order in respect of land surrounded by or adjoining a clearance area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

The [2]..... Compulsory Purchase Order, 19.....

To [3].....

Take notice that the [4]....., the local authority under the Housing (Scotland) Acts, 1950 to 1957 (which Council are hereafter in this notice referred to as " the local authority "), have, in exercise of the powers conferred upon them by the Housing (Scotland) Act, 1950 (hereafter in this

notice referred to as "the Act of 1950"), on the ..... day of ....., 19....., made the above-mentioned compulsory purchase order authorising them to purchase compulsorily, for the purposes of Part III of the Act of 1950, the land specified in the schedule to the order, which land the local authority, in exercise of the powers conferred upon them by section 27 of the Act of 1950, have determined to purchase as being [5][land surrounded by a clearance area the acquisition of which is reasonably necessary for the purpose of securing an area of convenient shape and dimensions] [land adjoining a clearance area the acquisition of which is reasonably necessary for the satisfactory development or use of the clearance area].

The order includes the land described in the schedule hereto, in which land you are believed to be interested as

[5] owner. / superior. / holder of a heritable security. / lessee. / occupier.

The order, which comes into operation only if confirmed by the Secretary of State, is about to be submitted to him for confirmation.

Any objections to the order must be made to the Secretary of State in writing, stating the grounds of objection, and lodged with the Secretary of State by addressing them to the Secretary, Department of Health for Scotland, St. Andrew's House, Edinburgh, 1, before the [6]..... day of ....., 19..... A copy of any objection lodged should also be sent to the Clerk to the local authority at [7].....

Copies of the order and of the map referred to therein and a map showing the clearance area have been deposited at [8]..... and may be seen there without payment of fee between the hours of ..... and .....

Application is included in the order for a direction under section 22 of the Housing and Town Development (Scotland) Act, 1957 that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to the order as respects [5][the whole of the land comprised therein] [so much of the land comprised therein as is hatched ..... on the map referred to therein]. The general effect of such application of the Sixth Schedule is set out below, but reference should be made to the Sixth Schedule itself for its precise operation.

(i) The Lands Clauses Acts and the Acquisition of Land (Assessment of Compensation) Act, 1919, as applicable to the purchase, would have effect as if notices to treat had been served on the date on which the order is recorded in the appropriate Register of Sasines. In the case of short tenancies, and long tenancies about to expire, notice would not be deemed to have been served, and actual notices to treat would require to be served.

(ii) The said [4]..... would be entitled, after the execution of a declaration, to enter on and take possession of the land in the area designated by the declaration at the expiration of the period specified therein, and such land would vest in the said [4].....

The Act of 1950 provides that if no objection is duly made by the owner or lessee or occupier of, or the superior of, or the holder of a heritable security over, any land to which the order applies, or if all objections so made are withdrawn, the Secretary of State may, if he thinks fit, confirm the order with or without modification. The Act of 1950 also provides that the Secretary of State may require any person who has made objection to the order to state in writing the grounds thereof, and may confirm the order without causing a

public local inquiry to be held if he is satisfied that every objection duly made relates exclusively to matters which can be dealt with by the Lands Tribunal by whom the compensation is to be assessed. In any other case, the Secretary of State shall, before confirming the order, cause a public local inquiry to be held, and shall consider any objection not withdrawn and the report of the person who held the inquiry, and may then confirm the order either with or without modification.

Before confirming the order, the Secretary of State is required to send a copy of the order as proposed to be confirmed to every person who, having given notice to the Secretary of State of his objection to the order, appeared at the inquiry in support of his objection, and to consider any representations that may be submitted to him in writing with respect thereto within fourteen days after the date on which the copy of the order has been so sent.

The Act of 1950 also provides that when a compulsory purchase order has been confirmed by the Secretary of State it shall become operative at the expiration of thirty days from the date on which notice of its confirmation is published in accordance with the provisions of that Act; but if, in accordance with the provisions of the Second Schedule to the Act of 1950, proceedings in the Court of Session are instituted within that period by an aggrieved person desirous of questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act of 1950 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act of 1950 not having been complied with, set aside the order either generally or in so far as it affects any property of the applicant, or do otherwise as shall appear to the Court to be just.

Dated this day of , 19 .

.....

(Signature of Clerk to the local authority.)

SCHEDULE

Numbers on map deposited at offices of the local authority (1)	Description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees (4)	Occupiers (except tenants for a month or a less period than a month) (5)	[9]Date defining a long tenancy about to expire (6)

Notes for guidance in completing this form

[1]This form is prepared in relation to the case of a compulsory purchase order to which Form 26A applies. It should be suitably amended to meet the case of a compulsory purchase order to which Form 31A applies.

[2]Insert the title of the order.

[3]Insert the name and address or place of business of the person to whom the notice is addressed.

[4]Insert the name of the local authority.

[5]Delete the words which are not applicable.

[6]It is suggested that the period within which objections must be lodged should be not less than 21 days from the date of this notice.

[7]Insert the address to which a copy of objections should be sent.

[8]Insert the address of place of deposit.

[9]The date to be inserted in column (6) should be the same as that inserted in column (6) of the schedule to the compulsory purchase order.

FORM 30A

[1]Form of advertisement and notice under section 29 and paragraph 1 of the Second Schedule to the Housing (Scotland) Act, 1950 of confirmation of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957, for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

The [2]..... Clearance Area Compulsory Purchase Order, 19.....

Notice is hereby given that the Secretary of State, in exercise of the powers conferred on him by the Housing (Scotland) Acts, 1950 to 1957, has confirmed [3][with modifications] the above-mentioned compulsory purchase order submitted to him by the [4]..... authorising the local authority to purchase compulsorily for the purposes of Part III of the Housing (Scotland) Act, 1950 (hereafter in this notice referred to as "the Act of 1950"), the land described in the schedule hereto, which land comprises [3][(1)] land within an area declared to be a clearance area by a resolution of the local authority dated the ..... day of ....., 19....., [3][and (2) land surrounded by or adjoining the said clearance area].

Copies of the order as confirmed and of the map referred to therein and a map showing the clearance area have been deposited at [5]..... and may be seen there without payment of fee between the hours of ..... and .....

The order as confirmed contains a direction under section 22 of the Housing and Town Development (Scotland) Act, 1957 that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set out in the Eleventh Schedule thereto and as read with the said section 22), providing for expedited completion of purchase shall apply to the order as respects [7][the whole of the land comprised therein] [so much of the land comprised therein as is hatched ..... on the map referred to therein].

Any person entitled to claim compensation in respect of any of the land to which the said Sixth Schedule applies, or in respect of any interest in any such land, may send to the [4]..... his name and postal address, a description of the land in which he has an interest sufficient to enable them to identify the extent and boundaries thereof, and particulars of his interest in the land, of any leases and tenancy of, and any heritable securities and other real burdens and encumbrances affecting the land, and of any war damage sustained by the land.

Provision as to entry on and vesting of the land is contained in sub-paragraph (4) of paragraph 3 of the said Sixth Schedule. The general effect of this provision is set out below but reference should be made to the Sixth Schedule itself for its precise operation.

(i) The said [4]..... shall be entitled on the expiration of the period (not being less than 28 days) specified in a declaration executed by them to enter on and take possession of the land in the area designated by the declaration without previous consent or compliance with sections 83-88 of the Lands Clauses Consolidation (Scotland) Act, 1845. The earliest date at which such a declaration may be executed is the expiration of a period of [6][2 months] [.....] from the date of the recording of the order in the Register of Sasines.

(ii) On the recording of a Notice of Title in the appropriate Register of Sasines the said land shall vest in the said [4].....

(iii) The said [4]..... will be liable to pay the like compensation and interest as would have been payable if the provisions of the 1845 Act had been complied with.

There are exceptions from the position as indicated above in the case of short tenancies [and] long tenancies about to expire [and certain properties of which the order provides for purchase in part only].

The order will become operative at the expiration of thirty days from the date of publication of this notice, but if, in accordance with the provisions of the Second Schedule to the Act of 1950, proceedings in the Court of Session are instituted within that period by an aggrieved person desirous of questioning the validity of the order, the Court may, if satisfied that the order is not within the powers of the Act of 1950 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act of 1950 not having been complied with, set aside the order either generally or in so far as it affects any property of the applicant, or do otherwise as shall appear to the Court to be just.

Dated this ..... day of ....., 19.....

.....
(*Signature of Clerk to the local authority*)

SCHEDULE

(*Here insert a description of the land to which the compulsory purchase order applies, such as will enable the land to be identified.*)

Notes for guidance in completing this form

[1]This form is prepared in relation to a compulsory purchase order made in the case to which Form 25B applies. It should be suitably amended to meet the case of a compulsory purchase order made in either of the Forms 26A or 31A.

[2]Insert the title of the order.

[3]Delete this if it is not applicable.

[4]Insert the name of the local authority.

[5]Insert the address of place of deposit.

[6]Two months will apply unless a shorter period is prescribed in the order (see paragraph 7 in Form No. 25B).

[7]Delete the words which are not applicable.

Note for local authority

Paragraph 1 of the Second Schedule to the Act of 1950 requires the local authority, as soon as may be after the compulsory purchase order has been confirmed by the Secretary of State, to publish the foregoing notice in a newspaper circulating in their district. A like notice must also, in terms of the said paragraph, be served on every person who, having given notice to the Secretary of State of his objection to the order, appeared at the public local inquiry in support of his objection.

Paragraph 5 of the Second Schedule to the Act of 1950 requires the local authority, so soon as may be after an order has become operative, to serve a copy thereof on any person on whom a notice was served by them of their intention to submit the order to the Secretary of State for confirmation.

FORM 31A

[1]Form of compulsory purchase order under section 32 and paragraphs 1 to 3 of the Third Schedule to the Housing (Scotland) Act, 1950 in respect of cleared land which owners have failed to redevelop and providing under section 22 of the Housing and Town Development (Scotland) Act, 1957 for expedited completion.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

COMPULSORY PURCHASE ORDER

Whereas the [2]....., the local authority under the Housing (Scotland) Acts, 1950 to 1957 (which Council are hereafter in this order referred to as "the local authority"), in exercise of the powers conferred upon them by section 26 of the Housing (Scotland) Act, 1950 (hereafter in this order referred to as "the Act of 1950") have made a clearance order, known as the [3]..... Clearance Order, 19..... requiring the demolition of the buildings consisting of the houses and premises within the area edged yellow and coloured red on a map marked [4]....., and signed and sealed with reference to the order and deposited at the offices of the local authority, which order [5][with modifications] was confirmed by the Secretary of State on the ..... day of ....., 19..... ;

And Whereas, in accordance with the provisions of section 26 of the Act of 1950, as read along with the Second Schedule thereto, the said clearance order became operative on the ..... day of ....., 19..... ;

And Whereas the land hereinafter described has been cleared of buildings in accordance with the said clearance order, but at the date of passing the resolution aftermentioned had not been or was not in process of being used for building purposes or otherwise developed by the owner ;

And Whereas the local authority, in exercise of the powers conferred upon them by section 32 of the Act of 1950, have by a resolution passed at a meeting of the authority on the ..... day of ..... 19....., being a date after the expiration of eighteen months from the date on which the said clearance order became operative, determined to purchase the said land ;

Now, therefore, the local authority in exercise of the powers conferred upon them by section 32 of the Act of 1950, hereby make the following Compulsory Purchase Order:—

1. Subject to the provisions of this order, the local authority are hereby authorised to purchase compulsorily for the purposes of Part III of the Act of 1950, the land described in the schedule hereto, which land is coloured [6]..... on a map marked [7]..... and signed and sealed with reference to this order and deposited at the offices of the local authority.

2. Subject to the necessary adaptations—

(*a*) the Lands Clauses Acts (except sections 120 to 125 of the Lands Clauses Consolidation (Scotland) Act, 1845) ;

(*b*) the Acquisition of Land (Assessment of Compensation) Act, 1919 ; and

(*c*) section 70 of the Railways Clauses Consolidation (Scotland) Act, 1845, and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act, 1923,

as modified by the Third Schedule to the Act of 1950, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.

3. Application is hereby made to the Secretary of State under section 22 of the Housing and Town Development (Scotland) Act, 1957 for the inclusion in the order as confirmed by him of a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 (as amended by the Town and Country Planning (Scotland) Act, 1947, and set

out in the Eleventh Schedule thereto and as read with the said section 22) providing for expedited completion of purchase shall apply to this order as respects [8][the whole of the land comprised herein] [so much of the land comprised herein as is hatched ..... on the map].

4. For the purposes of clause (*b*) of sub-paragraph 3 of paragraph 1 of the said Sixth Schedule a long tenancy which is about to expire shall be a tenancy expiring on or before the date entered in column (6) of the schedule hereto[9] in respect of any tenancy described therein.

[10][5. The period of ..... is hereby substituted for the period of two months for the purposes of the operation of sub-paragraph (2) of paragraph 3 of the said Sixth Schedule.]

6.—(1) This Order may be cited as the [11]..... Compulsory Purchase Order, 19.....

(2) The Interpretation Act, 1889, shall apply to the interpretation of this order as it applies to the interpretation of an Act of Parliament.

[12]Given under the seal of the [2]..... this ..... day of ....., 19.....

(L.S.)

.....
(*Signature of Clerk to the local authority*)

SCHEDULE

Numbers on map deposited at offices of the local authority (1)	Description and situation of the land (2)	Owners or reputed owners (3)	Lessees or reputed lessees if any (4)	Occupiers (except tenants for a month or a less period than a month) if any (5)	Date defining a long tenancy about to expire (6)

Notes for guidance in completing this form

[1]In cases to which this form of compulsory purchase order applies, Form 27A suitably amended, should be the form of advertisement used; Form 29A, suitably amended, should be the form of notice to owners, etc. used; and Form 30A, suitably amended, should be the form of advertisement and notice of confirmation used.

[2]Insert the name of the local authority.

[3]Insert the title of the clearance order.

[4]Insert the heading marked on the map.

[5]Delete this if it is not applicable.

[6]Insert the colour or colours by which the land is shown on the map.

[7]The map should be identified by a heading in the terms of the short title to this order.

[8]Delete the words which are not applicable.

[9]The date inserted in column (6) of the schedule shall be at least a year later than the estimated date of the recording of the order, if confirmed, in the appropriate Register of Sasines.

[10]Insert this paragraph where it is desired to take advantage of the proviso to paragraph 3 (2) of the Sixth Schedule.

[11]Insert a suitable short title.

[12]See section 167 (1) of the Act of 1950 as to the signing and sealing of orders.

Note for local authority

Before submitting a compulsory purchase order for the purposes of Part III of the Act of 1950 for confirmation by the Secretary of State, the local authority must, in terms of section 45 (1) of that Act, require the owner of any subjects to which the order relates to furnish a written statement specifying the name and address of the superior of and the holder of any heritable security over the subjects and under section 45 (2) the local authority must serve on any person whose name and address is so furnished the like notice as they are required to serve on the owners. (See Form 34.)

In accordance with section 22 (1) of the Housing and Town Development (Scotland) Act, 1957 a local authority may in the circumstances therein provided for include in a compulsory purchase order under section 32 (2) of the Act of 1950 an application for a direction that the provisions of the Sixth Schedule to the Town and Country Planning (Scotland) Act, 1945 shall apply to the order or, as the case may be, to the order so far as it relates to the part of the land in question.

FORM 56

Form of notice under section 20 (3) of the Housing and Town Development (Scotland) Act, 1957, that no payment falls to be made under section 20 (2) of that Act.

THE HOUSING (SCOTLAND) ACTS, 1950 TO 1957

To [1]....., the person who has made a representation to the local authority that the house [2]..... has been well maintained and that the good maintenance of the house is attributable wholly or partly to work carried out by him or at his expense.

The [3]....., the local authority under the Housing (Scotland) Acts, 1950 to 1957, in exercise of the power conferred upon them by section 20 (3) of the Housing and Town Development (Scotland) Act, 1957 (hereinafter referred to as "the Act of 1957"),

(1) having considered your representation that the said house has been well maintained within the meaning of subsection (2) of section 20 of the Act of 1957 by you or at your expense, and

(2) being satisfied that the said house has not been well maintained as aforesaid

hereby give notice that no payment falls to be made to you under the said subsection (2).

Dated this.....day of....., 19...

.....

(*Signature of Clerk to the local authority.*)

Notes

(*To be incorporated in the notice* [*and any copies thereof*])

Any person aggrieved by the decision of a local authority that no payment falls to be made under section 20 (2) of the Act of 1957 may, in accordance with the provisions of subsections (1) and (3) of section 16 of the Housing (Scotland) Act, 1950, as applied by section 20 (3) of the Act of 1957, appeal to the sheriff by giving notice of appeal within 21 days after the date of service of this notice.

Notes for guidance in completing this form

1. Insert the name and address of the person to whom the notice is addressed.
2. Insert such description of the house as may be sufficient for identification.
3. Insert name of local authority.

SECOND SCHEDULE

Amendments to Forms 5 to 8, 12, 13, 42 and 52 to 54

(1) In the notes to Forms 5 and 6, after the paragraph commencing with the words "A demolition order", there shall be inserted the following paragraph:—

"It is provided by section 20 (2) of the Housing and Town Development (Scotland) Act, 1957 (hereafter in these notes referred to as "the Act of 1957"), that if a house subject to a demolition order has, after the commencement of the Act of 1957, been vacated in pursuance of the demolition order, any person may, within three months after the service of the order, make a representation to the local authority that the house has been well maintained, and that the good maintenance thereof is attributable wholly or partly to work carried out by him at his expense. Unless the local authority notify the person who made the representation that the representation is not correct, he will be entitled to receive a payment from them in accordance with the provisions of section 40 of the Act of 1950 as read with any order made by the Secretary of State under the provisions of section 20 (1) of the Act of 1957. If the local authority give notice that no payment falls to be made the person notified may appeal to the sheriff in accordance with the provisions of section 16 of the Act of 1950."

(2) In the notes to Forms 7 and 8, after the paragraph commencing with the words "A closing order", there shall be inserted the following paragraph:—

"It is provided by section 20 (2) of the Housing and Town Development (Scotland) Act, 1957 (hereafter in these notes referred to as "the Act of 1957"), that if a house subject to a closing order has, after the commencement of the Act of 1957, been vacated in pursuance of the closing order, any person may, within three months after the service of the order on him, make a representation to the local authority that the house has been well maintained and that the good maintenance thereof is attributable wholly or partly to work carried out by him or at his expense. Unless the local authority notify the person who made the representation that they are satisfied that the representation is not correct, he will be entitled to receive a payment from them in accordance with the provisions of section 40 of the Act of 1950 as read with any order made by the Secretary of State under the provisions of section 20 (1) of the Act of 1957. If the local authority give notice that no payment falls to be made the person notified may appeal to the sheriff in accordance with the provisions of section 16 of the Act of 1950."

(3) In the notes to Forms 12 and 13, for the words—

"(*Repeat the last four paragraphs of the notes to Form* 7.)"

there shall be substituted the words

"(*Repeat the last five paragraphs of the notes to Form* 7.)"

(4) In Form 42, for subparagraph (iii) of paragraph (1) there shall be substituted the following subparagraph:—

"(iii) The annual rent payable by a tenant of the dwelling shall, subject to the provisions of section 10 of the Rent Act, 1957, not exceed the rent recorded in respect of the dwelling in the Register of Rents kept by the local authority in accordance with the provisions of section 21 of the Housing and Town Development (Scotland) Act, 1957, and no fine, premium or other like sum shall be taken in addition to the rent;"

(5) In the notes to Forms 52 to 54 after Note 2 there shall be inserted the following Note:—

"2A. Section 20 (2) of the Housing and Town Development (Scotland) Act, 1957 (hereafter in these notes referred to as "the Act of 1957"), provides that, if a house has, on or after the commencement of the Act of 1957, been purchased compulsorily under subsection (1) of section 17 of the Act of 1950 or under section 3 of the Act of 1954, any person may, within three months after the service of the notice of determination to purchase or after the confirmation of the compulsory purchase order, make a representation to the local authority that the house has been well maintained by him or at his expense. Unless the local authority notify the person who made the representation that they are satisfied that the house has not been well maintained, he will be entitled to receive a payment from them in accordance with the provisions of section 40 of the Act of 1950, as read with any order made by the Secretary of State under the provisions of section 20 (1) of the Act of 1957. If the local authority give notice that no payment falls to be made the person notified may appeal to the sheriff in accordance with the provisions of section 16 of the Act of 1950."

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations make certain amendments, consequential on the passing of the Housing and Town Development (Scotland) Act, 1957, to the forms of orders, notices, advertisements, statements and other documents prescribed under the Housing (Scotland) Acts, 1950 and 1952, and the Housing (Repairs and Rents) (Scotland) Act, 1954.

1958 No. 80 (S. 4)

The Housing (Register of Rents) (Scotland) Regulations, 1958

Made - - - -	17*th January*, 1958
Laid before Parliament	24*th January*, 1958
Coming into Operation	31*st January*, 1958

In exercise of the powers conferred upon me by subsection (1) of section 21 of the Housing and Town Development (Scotland) Act, 1957(a) and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Housing (Register of Rents) (Scotland) Regulations, 1958, and shall come into operation on the 31st day of January, 1958.

(a) 5 & 6 Eliz. 2. c. 38.