HIGHWAY, ENGLAND
ROADS AND BRIDGES, SCOTLAND

The Highways (Provision of Cattle-Grids) Act, 1950 (Commencement) Order, 1951

1951 No. 762 (C. 2)

Made - - - - 28*th April*, 1951

The Minister of Transport in exercise of the powers conferred upon him by section 19 of the Highways (Provision of Cattle-Grids) Act, 1950(a), and of all other powers him enabling in that behalf hereby makes the following Order:—

1. The provisions of the Highways (Provision of Cattle-Grids) Act, 1950, in so far as they are not now in operation, shall come into operation on the tenth day of May, 1951.

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

3. This Order may be cited as "The Highways (Provision of Cattle-Grids) Act, 1950 (Commencement) Order, 1951".

Given under the Official Seal of the Minister of Transport this twenty-eighth day of April, 1951.

(L.S.)

J. R. Willis,
An Under Secretary of the Ministry of Transport.

HOUSING, SCOTLAND

The Housing (Forms) (Scotland) Regulations, 1951

1951 No. 774 (S. 45)

Made - - - -	27*th April*, 1951
Laid before Parliament	2*nd May*, 1951
Coming into Operation	12*th May*, 1951

In exercise of the powers conferred upon me by subsection (1) of section 172 of the Housing (Scotland) Act, 1950(c) (hereafter in these regulations referred

(a) 14 Geo. 6. c. 24. (b) 52 & 53 Vict. c. 63. (c) 14 Geo. 6. c. 34.

to as " the Act ") and of all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations:—

1.—(1) These regulations may be cited as the Housing (Forms) (Scotland) Regulations, 1951, and shall come into operation on the 12th day of May, 1951.

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

(3) The Housing (Scotland) Acts (Forms of Orders and Notices) Regulations, 1935(**b**), the Housing (Scotland) Acts (Extinguishment of Public Rights of Way and Closing or Diversion of Streets) Regulations, 1935(**c**), the Housing (Miscellaneous Forms) Regulations (Scotland), 1936(**d**), the Housing (Scotland) Acts (Forms of Charging Orders) Regulations, 1939(**e**), the Housing (Scotland) Acts (Forms of Orders and Notices) Amendment Regulations, 1944(**f**) and the Housing (Notices for the Register of Sasines) (Scotland) Regulations, 1950(**g**) are hereby revoked, except in so far as the forms therein prescribed are required to be used in connection with proceedings after the date on which these regulations come into operation and consequent upon action taken before that date.

2. The forms set out in the Schedule hereto or forms as near thereto as circumstances admit shall be the forms to be used for the purposes of the Act in the cases to which those forms are applicable.

3.—(1) An order made by a local authority under subsection (1) of section 43 of the Act (which provides for the extinction of public rights of way and the closing or diversion of streets) shall, before being submitted to the Secretary of State for approval, be published by the local authority—

(*a*) by giving notice in the form prescribed by these regulations of the making of the order in one or more newspapers circulated in their district; and

(*b*) by affixing a like notice in a prominent position at each end of the public right of way or street to which the order relates.

(2) Every notice affixed in accordance with the provisions of sub-paragraph (*b*) of the last preceding paragraphs of this regulation shall be kept exhibited in such position for a period of not less than two months.

Hector McNeil,
One of His Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.
25th April, 1951.

We consent to these regulations.

Charles Royle,
R. J. Taylor,
Two of the Lords Commissioners of His Majesty's Treasury.

27th April, 1951.

(a) 52 & 53 Vict. c. 63.
(b) S.R. & O. 1935 (No. 1126) p. 593.
(c) S.R. & O. 1935 (No. 1176) p. 652.
(d) S.R. & O. 1936 (No. 1304) I, p. 1094.
(e) S.R. & O. 1939 (No. 28) II, p. 1724.
(f) S.R. & O. 1944 (No. 1292) I, p. 328.
(g) S.I. 1950 (No. 1551) I, p. 988.

SCHEDULE

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	*Purpose*	*Reference to sections of the Act*
1	Form of order under section 5 (4) declaring expenses incurred by a county council in providing waterclosets or earthclosets to be payable by weekly, monthly, half-yearly or annual instalments.	5 and 8 (4)
2	Form of notice under section 7 requiring the person having control of a house to execute works.	7 (1)
3	Form of order under section 8 (4) declaring expenses incurred by a local authority in executing works on an insanitary house to be payable by weekly, monthly, half-yearly or annual instalments.	7 and 8
4	Form of notice under section 9 of the time and place at which the question of making (1) a demolition order, or (2) a closing order, in respect of a house will be considered.*	9 (1)
5	Form of demolition order under section 9	9 (4)
6	Form of demolition order under section 9 on breach or deemed breach of undertaking.	9 (4) and 9 (3)
7	Form of closing order under section 9*	9 (4)
8	Form of closing order under section 9 on breach or deemed breach of undertaking.*	9 (4) and 9 (3)
9	Form of order under section 9 determining a closing order*	9 (4)
10	Form of notice under section 9 of refusal of local authority to determine a closing order.*	9 (4)
11	Form of demolition order under section 12 on recall of closing orders.	12
12	Form of closing order under section 13 (1) in respect of a house for which a building preservation order is in force.	13 (1)
13	Form of order under section 13 (2) substituting a closing order for a demolition order made in respect of a house in relation to which a building preservation order has taken effect.	13 (2)
14	Form of notice under section 13 (2) of determination of demolition order in respect of a house in relation to which a building preservation order has taken effect.	13 (2)
15	Form of order under section 13 (3) determining a closing order in respect of a house subject to a building preservation order.	13 (3)
16	Form of notice of refusal of local authority to determine a closing order under section 13 in respect of a house subject to a building preservation order.	13 (3)
17	Form of charging order under section 20	20 and 21

Form	*Purpose*	*Reference to sections of the Act*
18	Form of charging order under section 22	22 and 21
19	Form of clearance order under section 26 and the First Schedule.	26 and the First Schedule
20	Form of advertisement under section 26 and paragraph 4 of the First Schedule of the making of a clearance order.	26 and paragraph 4 of the First Schedule
21	Form of notice under section 26 and paragraph 4 of the First Schedule to owners, superiors, holders of heritable securities, lessees or occupiers, of the making of a clearance order.	26 and paragraph 4 of the First Schedule
22	Form of advertisement and notice under section 26 and paragraph 1 of the Second Schedule of confirmation of a clearance order.	26 and paragraph 1 of the Second Schedule
23	Form of notice under section 18 or section 26 of intention to cleanse from vermin a house or building to be demolished under a demolition order or a clearance order.	18 or 26
24	Form of notice under section 18 or section 26 to proceed with demolition after a house or building has been cleansed from vermin.	18 or 26
25	Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule in respect of land comprised in a clearance area and land surrounded by or adjoining the area.	29 and paragraphs 1 to 3 of the Third Schedule.
26	Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule in respect of land surrounded by or adjoining a clearance area.	29 and paragraphs 1 to 3 of the Third Schedule
27	Form of advertisement under section 29 and paragraph 4 of the Third Schedule 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.*	29 and paragraph 4 of the Third Schedule
28	Form of notice under section 29 and paragraph 4 of the Third Schedule 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.	29 and paragraph 4 of the Third Schedule
29	Form of notice under section 29 and paragraph 4 of the Third Schedule 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.*	29 and paragraph 4 of the Third Schedule
30	Form of advertisement and notice under section 29 and paragraph 1 of the Second Schedule of confirmation of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area.*	29 and paragraph 1 of the Second Schedule
31	Form of compulsory purchase order under section 32 and paragraphs 1 to 3 of the Third Schedule in respect of cleared land which owners have failed to redevelop.	32 and paragraphs 1 to 3 of the Third Schedule

Form	*Purpose*	*Reference to sections of the Act*
32	Form of order under section 43 extinguishing a public right of way or closing or diverting a street.	43
33	Form of notice under section 43 of the making of an order extinguishing a public right of way or closing or diverting a street.	43
34	Form of notice under section 45 to owner of subjects requiring information as to superior of, and holders of heritable securities over, subjects included in clearance order or compulsory purchase order.	45
35	Form of notice under section 46 of (1) time and place at which the question of the demolition of an obstructive building will be considered, and (2) request for information as to superior of, and holder of any heritable security over, such building.	46
36	Form of licence under section 52 for temporary use of house by persons in excess of the permitted number.	52
37	Form of notice under section 52 of revocation of licence for temporary use of house by persons in excess of permitted number.	52 (3)
38	Form of statement of permitted number of persons under section 54.	54
39	Form of acknowledgment under section 54 to be obtained by landlord.	54
40	Form of charging order under section 76	76 and 21
41	Form of notice to be given before a charging order under section 76 is made.	76 (3)
42	Form of notice under section 114 of payment of improvement grant.	114 (5)
43	Form of charging order under section 114 (6)	114 (6) and 21
44	Form of discharge of charging order made under section 114 (6).	114 (6)
45	Form of notice under section 114 of cessor of conditions of improvement grant.	114 (7) and 115 (3)
46	Form of notice under section 118 of increase of rent ...	118
47	Form of notice under section 157 to occupier to remove from house after demolition order or clearance order has become operative.	157
48	Form of notice under section 157 to occupier to remove from house after closing order has become operative.	157
49	Form of notice under section 157 to occupier to vacate an obstructive building in respect of which a demolition resolution has become operative.	157
50	Form of notice under section 159 to be given by any person authorised by the local authority or the Secretary of State before entry for the purpose of survey and examination or valuation, or measuring of rooms.	159
51	Form of notice under section 168 to (1) the occupier of any premises, or (2) any person who, either directly or indirectly, receives rent in respect of any premises, requiring information regarding interests therein.	168

FORM 1

Form of order under section 5 (4) of the Act declaring expenses incurred by a county council in providing watercloseta or earthclosets to be payable by weekly, monthly, half-yearly or annual instalments.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....,
the [2][owner] [occupier] of the house [3].....
.....

Whereas the [4]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as " the local authority " and " the Act "), in exercise of the powers conferred upon them by section 5 of the Act, have required the owner of [2][part of] the above-mentioned house to provide a [2][watercloset] [earthcloset] ;

And Whereas the owner has failed to carry out such requirement within three months after intimation thereof, and the local authority, in exercise of the powers conferred upon them by the said section 5 of the Act, have themselves executed the necessary work, and have incurred expenses amounting to the sum of £..... ;

Now, therefore, in exercise of the powers conferred upon them by subsection (4) of section 8 of the Act, as applied by subsection (4) of section 5 of the Act, the local authority hereby declare that the said expenses shall be payable by [5]..... instalments of £..... within a period of [6]..... years, with interest at the rate of [7]£.... per cent. per annum from the [8]..... day of ....., 19.., until the whole amount is paid. The first payment shall be made on the ..... day of ....., 19.., and subsequent instalments shall be payable on the ..... thereafter until the whole amount is paid.

[9]Given under the seal of the [4]..... this ..... day of ....., 19....

(L.S.) .....
(Signature of Clerk to the local authority.)

Notes
(To be incorporated in the order and any copies thereof)

By subsection (4) of section 8 of the Act, it is provided that any instalments and interest, or any part thereof, under an order of the local authority declaring their expenses to be payable by weekly, monthly, half-yearly or annual instalments, may be recovered from any owner or occupier of the house, and if recovered from the occupier may be deducted by him from the rent of the house.

By subsection (4) of section 5 of the Act the provisions of subsection (4) of section 8 are applied to the recovery of expenses incurred by a local authority under section 5 of the Act.

Any person aggrieved by this order may in accordance with the provisions of section 16 of the Act appeal to the sheriff against the order. The appeal must be made within 21 days after the service of the order, and no proceedings may be taken by the local authority to enforce the order whilst an appeal against it is pending.

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the order is addressed.

[2] Delete the words which are not applicable.

[3] Insert such a description of the house as may be sufficient for identification.

[4] Insert the name of the county council.

[5] Insert "weekly", "monthly", "half-yearly" or "annual" as the case may be.

[6] The period to be specified must not exceed 30 years.

[7] The rate of interest is prescribed by the Secretary of State with the approval of the Treasury under section 8 (4) of the Act.

[8] Insert date of service of demand for payment of expenses.

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

FORM 2

Form of notice under section 7 of the Act requiring the person having control of a house to execute works.

THE HOUSING (SCOTLAND) ACT, 1950

To [1]....., the person having control of the house [2].....

Take notice that—

(1) the [3]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), are satisfied that the above-mentioned house is unfit for human habitation;

(2) the local authority, having had regard to the estimated cost of the works necessary to render the house fit for human habitation and the value which it is estimated that the house will have when the works are completed, are satisfied that the house is capable at a reasonable expense of being rendered fit for human habitation; and

(3) in exercise of the powers conferred upon them by subsection (1) of section 7 of the Act, the local authority require you within a period of [4]..... days, ending on the ..... day of ....., 19.., to execute the following works, which will, in the opinion of the local authority, render the house fit for human habitation, namely [5].....

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

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

Notes
(To be incorporated in the notice and any copies thereof)

The person having control of a house is defined in section 7 (3) of the Act as the person who for the time being is entitled to receive, or would, if the house were let, be entitled to receive, the rent of the house, including a trustee, tutor, curator, factor or agent.

Section 184 (2) of the Act provides that in determining for the purposes of the Act whether a house is fit for human habitation regard shall be had to the extent, if any, to which by reason of disrepair or sanitary defects the house falls short of the provisions of any building regulations in operation in the district.

Section 7 (2) of the Act further provides that in determining whether a house can be rendered fit for human habitation at a reasonable expense, regard shall be had to the estimated cost of the works necessary to render it so fit and the value which it is estimated that the house will have when the works are completed.

Any person aggrieved, may, in accordance with the provisions of section 16 of the Act, appeal to the sheriff against any notice requiring him to execute works under section 7 of the Act, and against any demand for the recovery from him of expenses incurred by the local authority in executing works or against an order made by the local authority under section 8 of the Act with respect to any such expenses. The appeal must be brought within 21 days after the date of the service of the notice, demand or order, and no proceedings may be taken by the local authority to enforce any notice, demand or order whilst an appeal against it is pending. On an appeal against a demand for the recovery of expenses incurred by a local authority in executing works or against an order made by a local authority with respect to any such expenses, no question can be raised which might have been raised on an appeal against the original notice requiring the execution of the works.

Section 8 of the Act, relating to the enforcement of a notice requiring the execution of works, provides as follows:—

(*Here quote the whole of section* 8.)

Section 10 of the Act, which provides for the substitution of an order under section 9 (4) for a notice under section 7 (1) in certain cases, is as follows:—

(*Here quote the whole of section* 10.)

Notes for guidance in completing this form

[1] Insert the name and residence or place of business, and description, where known, of the person having control of the house.

[2] Insert such a description of the house as may be sufficient for identification.

[3] Insert the name of the local authority.

[4] A reasonable time, not being less than 21 days, must be specified.

[5] Insert specification in detail of the works to be executed.

FORM 3

Form of order under section 8 (4) of the Act declaring expenses incurred by a local authority in executing works on an insanitary house to be payable by weekly, monthly, half-yearly or annual instalments.

THE HOUSING (SCOTLAND) ACT, 1950

To [1]......, the [2][owner] [occupier] of the house [3].....

Whereas by a notice dated the.....day of....., 19.., the [4].....,, the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section 7 of the Act, have required the person having control of the above-mentioned house to execute, within the time specified in that notice, the works specified in the said notice, stating therein that such works would in their opinion render the house fit for human habitation;

And Whereas the said notice has not been complied with, and the local authority, in exercise of the powers conferred upon them by section 8 of the Act, have done the work required to be done by the said notice [2][and in addition

have executed the following further works which were found to be necessary for the purpose of rendering the above-mentioned house fit for human habitation, but which could not reasonably have been ascertained to be required at the examination prior to the service of the aforesaid notice, namely [5].....] and have incurred in executing all the aforesaid works expenses amounting to the sum of £.....;

Now, therefore, in exercise of the powers conferred upon them by subsection (4) of section 8 of the Act, the local authority hereby declare that the said expenses shall be payable by [6].....instalments of £..... within a period of [7].....years, with interest at the rate of [8]£..... per cent. per annum, from the [9].....day of....., 19.., until the whole amount is paid. The first payment shall be made on the.....day of ....., 19.., and subsequent instalments shall be payable on the .....thereafter until the whole amount is paid.

[10]Given under the seal of the [4].....this.....day of ....., 19..

(L.S.)

.....

(Signature of Clerk to the local authority.)

Notes

(To be incorporated in the order and any copies thereof)

By subsection (4) of section 8 of the Act it is provided that any instalments and interest, or any part thereof, under an order of the local authority declaring their expenses to be payable by weekly, monthly, half-yearly or annual instalments, may be recovered from any owner or occupier of the house, and, if recovered from the occupier, may be deducted by him from the rent of the house.

Any person aggrieved by this order may in accordance with the provisions of section 16 of the Act appeal to the sheriff against the order. The appeal must be made within 21 days after the service of the order, and no proceedings may be taken by the local authority to enforce the order whilst an appeal against it is pending. On an appeal against the order, no question can be raised which might have been raised on an appeal against the original notice requiring the execution of the works. Subsection (2) of section 8 of the Act provides that where in addition to the works required to be done under the original notice, the local authority have executed any further works which were found to be necessary for the purpose of rendering the house fit for human habitation, but which could not reasonably have been ascertained to be required at the examination prior to the service of the original notice, any question as to whether such further works were necessary or could not have been reasonably ascertained as aforesaid shall be determined by the sheriff whose decision shall be final.

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the order is addressed.

[2] Delete the words which are not applicable.

[3] Insert such a description of the house as may be sufficient for identification.

[4] Insert the name of the local authority.

[5] Insert specification in detail of the additional works so executed.

[6] Insert " weekly ", " monthly ", " half-yearly " or " annual " as the case may be.

[7] The period to be specified must not exceed 30 years.

[8] The rate of interest is prescribed by the Secretary of State with the approval of the Treasury under section 8 (4) of the Act.

[9] Insert date of service of demand for payment of expenses.

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

FORM 4

[1]Form of notice under section 9 of the Act of the time and place at which the question of making (1) a demolition order, or (2) a closing order, in respect of a house will be considered.

THE HOUSING (SCOTLAND) ACT, 1950

[2][To [3].....], the person having control of the house [4].....]

[2][To [3].....], the owner of the house [4].....]

Whereas the [5].....], the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), are satisfied that the above-mentioned house is unfit for human habitation and, having had regard to the estimated cost of the works necessary to render the house fit for human habitation, and the value which it is estimated that the house will have when the works are completed, are satisfied that it is not capable at a reasonable expense of being rendered so fit.

Take notice that, in accordance with the provisions of section 9 of the Act, the condition of the said house and any offer with respect to the carrying out of works or the future use of the house will be considered by the local authority at [6].....on the [7].....day of....., 19....., at.....o'clock in the.....noon, when any person to whom this notice is addressed, and any person who is the holder of a heritable security over the said house will be entitled to be heard.

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

.....

(Signature of Clerk to the local authority.)

Notes

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

The person having control of a house is defined in section 7 (3) of the Act, as the person who for the time being is entitled to receive, or would, if the house were let, be entitled to receive, the rent of the house, including a trustee, tutor, curator, factor or agent.

Section 9 of the Act, which empowers the local authority to order the demolition or closing of insanitary houses, is as follows:—

(*Here quote the whole of section* 9.)

[Subsection (1) of section 11 of the Act applies the provisions of section 9 with respect to the making of a closing order, subject to the necessary modifications, in relation to any underground room habitually used as a sleeping place which is for the purposes of Part II of the Act to be deemed to be a house unfit for human habitation. Subsection (2) of section 11 provides that a room habitually used as a sleeping place, the surface of the floor of which is more than three feet below the surface of the part of the street adjoining or nearest to the room, shall, for the purposes of Part II of the Act, be deemed to be a house unfit for human habitation, if the room either—

(*a*) is not on an average at least seven feet in height from floor to ceiling; or

(*b*) does not comply with such regulations as the local authority may with the consent of the Secretary of State make for securing the proper ventilation or lighting of such rooms, and the protection thereof against dampness, effluvia, or exhalation.]

Section 158 of the Act provides that where an undertaking has been given under Part II of the Act that any premises shall not be used for human habitation, nothing in the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939, shall prevent any owner of those premises from obtaining possession thereof.

Section 16 of the Act, which, subject to the provisions of that section, gives to any person aggrieved by a demolition order or a closing order a right of appeal to the sheriff, provides that on any such appeal a person on whom this notice has been served is not entitled to raise any question if the question is one which was not raised by him at the consideration of the matter by the local authority and which, if it had then been raised, could have been dealt with by means of such an undertaking as is mentioned in section 9 (2) of the Act (quoted above). Section 16 further provides that no such appeal to the sheriff shall lie at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement, the unexpired term of which does not exceed six months.

Notes for guidance in completing this form

[1] In cases to which section 11 applies the paragraph in square brackets in the "Notes to be incorporated in the notice and any copies thereof" should be inserted. The wording of the form will require modification to meet the case of an underground room which is deemed to be a house unfit for human habitation.

Similar modification will be required in Forms 7, 8, 9 and 10 should these be used in section 11 cases.

[2] Delete whichever is not applicable.

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

[4] Insert such a description of the house as may be sufficient for identification.

[5] Insert the name of the local authority.

[6] Insert the name and address of the place where the matter will be considered.

[7] The time must not be less than 21 days after the service of this notice.

FORM 5

[1]Form of demolition order under section 9 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

DEMOLITION ORDER

Whereas the [2].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), after complying with the requirements of section 9 of the Act, are satisfied that the house [3].....is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit;

And Whereas the local authority have accepted no undertaking from an owner or holder of a heritable security with respect to the carrying out of works or the future use of the said house;

Now, therefore, the local authority, in exercise of the powers conferred upon them by subsection (4) of section 9 of the Act, hereby order as follows:—

1. The said house shall be vacated within [4]..... days from the date on which this order becomes operative;
2. The said house shall be demolished within three months after the expiration of the aforesaid period, or, if the house is not vacated before the expiration of the aforesaid period, within three months after the date on which it is vacated.

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

(L.S.)

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

Notes

(To be incorporated in the order and any copies thereof.)

Section 9 of the Act, which empowers the local authority to order the demolition or closing of insanitary houses, is as follows:—

(Here quote the whole of section 9.)

Section 16 of the Act provides that, subject to the provisions of that section, any person aggrieved by a demolition order made under Part II of the Act may appeal to the sheriff by giving notice of appeal within 21 days after the date of the service of the order, and no proceedings may be taken by the local authority to enforce any order whilst an appeal against it is pending. On an appeal against a demolition order a person is not entitled to raise any question, if the question is one which was not raised by him at the consideration of the matter by the local authority, and which, if it had then been raised, could have been dealt with by means of such an undertaking as is mentioned in section 9 (2) of the Act (quoted above). No appeal lies against a demolition order at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement, the unexpired term of which does not exceed six months.

A demolition order shall, if no appeal is brought, become operative on the expiration of the 21 days referred to, and if an appeal is brought it shall become operative as from the date of the determination of the appeal. (Section 16 (3) of the Act.)

Where a demolition order has become operative, the local authority are required by section 157 (1) of the Act to serve on the occupier of any house or any part thereof to which the order relates a notice stating the effect of the order and specifying the date by which the order requires the house to be vacated and requiring him to remove from the house before that date or before the expiration of 28 days from the service of the notice, whichever may be the later. Section 157 (4) of the Act provides that any person who, knowing that a demolition order has become operative and applies to any house, enters into occupation of that house or of any part thereof after the date by which the order requires that house to be vacated, or permits any other person to enter into such occupation after that date, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20, and to a further penalty of £5 for every day or part of a day on which the occupation continues after conviction.

It is further provided by section 14 of the Act that when a demolition order under Part II of the Act has become operative, the owner of the house to which the order applies shall demolish the house within the time limited in that behalf by the order; and if the house is not demolished within that time, the local authority may enter and demolish the house and sell the materials thereof, and any expenses so incurred by them, after giving credit for any amount realised by the sale of materials, may be recovered by them from the owner of the house, and any surplus in the hands of the local authority shall be paid by them to the owner of the house.

Section 18 (3) of the Act provides, however, that where a local authority serve a notice under section 18 (1) that they intend to cleanse from vermin a house to which a demolition order applies, the local authority shall not be entitled to take the action described in the last foregoing paragraph until the expiration of three months from the date on which the owner became entitled by virtue of section 18 (2) to proceed with the demolition.

Notes for guidance in completing this form

[1] A separate form of demolition order (Form 6) is to be used in the case of the demolition of a house on breach or deemed breach of undertaking.

[2] Insert the name of the local authority.

[3] Insert such a description of the house as may be sufficient for identification.

[4] The period must be not less than 28 days.

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

FORM 6

Form of demolition order under section 9 of the Act on breach or deemed breach of undertaking.

THE HOUSING (SCOTLAND) ACT, 1950

DEMOLITION ORDER

Whereas the [1]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section 9 of the Act, being satisfied that the house [2]..... is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit, and having complied with the provisions of the said section as to the service of notices and the consideration of representations, on the ..... day of ....., 19...., accepted an undertaking from [3]..... ..... being the [4][owner of] [holder of a heritable security over] the said house, in the following terms:—

(Here set out the terms of the undertaking;)

And Whereas the said undertaking [4][has been broken] [is deemed to have been broken] in the following respects:—

(Here give particulars of the breach or deemed breach of the undertaking;)

Now, therefore, the local authority, in exercise of the powers conferred upon them by subsection (4) of section 9 of the Act, hereby order as follows:—

1. The said house shall be vacated within [5]..... days from the date on which this order becomes operative;

2. The said house shall be demolished within three months after the expiration of the aforesaid period, or, if the house is not vacated before the expiration of the aforesaid period, within three months after the date on which it is vacated.

[6] Given under the seal of the [1]..... this ..... day of ....., 19.....

(L.S.) .....

(Signature of Clerk to the local authority.)

Notes

(To be incorporated in the order and any copies thereof.)

(The notes to this form should be the same as the notes to Form 5.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.

[2] Insert such a description of the house as may be sufficient for identification.

[3] Insert the name of the person from whom the undertaking was accepted.

[4] Delete whichever is not applicable.

[5] The period must not be less than 28 days.

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

FORM 7

[1]Form of closing order under section 9 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CLOSING ORDER

Whereas the [2].....,, the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), after complying with the requirements of section 9 of the Act, are satisfied that the house [3]..... is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit;

And Whereas the local authority have accepted no undertaking from an owner or holder of a heritable security with respect to the carrying out of works or the future use of the said house;

Now, therefore, the local authority, in exercise of the powers conferred upon them by the proviso to subsection (4) of section 9 of the Act, hereby prohibit the use of the said house for human habitation as from the expiration of [4].....days from the date on which this order becomes operative.

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

(L.S.)

.....

(Signature of Clerk to the local authority.)

Notes

(*To be incorporated in the order and any copies thereof.*)

Section 9 of the Act, which empowers the local authority to order the demolition or closing of insanitary houses, is as follows:—

(*Here quote the whole of section* 9.)

Section 16 of the Act provides that, subject to the provisions of that section, any person aggrieved by a closing order or by the refusal of the local authority to determine a closing order may appeal to the sheriff by giving notice of appeal within 21 days after the date of the service of the order or after the refusal to determine the order, and no proceedings may be taken by the local authority to enforce any order whilst an appeal against it is pending. On an appeal against a closing order a person is not entitled to raise any question if the question is one which was not raised by him at the consideration of the matter by the local authority, and which, if it had then been raised, could have been dealt with by means of such an undertaking as is mentioned in section 9 (2) of the Act. No appeal lies against a closing order at the instance of a person who is in occupation of the premises to which the order relates under a lease or agreement, the unexpired term of which does not exceed six months.

A closing order shall, if no appeal is brought, become operative on the expiration of the 21 days referred to, and if an appeal is brought, it shall become operative as from the date of the determination of the appeal. (Section 16 (3) of the Act.)

Where a closing order has become operative, the local authority are required by section 157 (1) of the Act to serve on the occupier of the house or any part thereof to which the order relates a notice stating the effect of the order and specifying the date by which the order requires the house to be vacated and requiring him to remove from the house before that date or before the expiration of 28 days from the service of the notice, whichever may be the later.

Section 15 of the Act provides that if any person, knowing that a closing order has become operative and applies to any premises, uses those premises or permits those premises to be used for any purpose unless he shall previously have obtained the consent of the local authority to the purpose for which the premises are

proposed to be used, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £20, and to a further fine of £5 for every day or part of a day on which he so uses or permits them to be so used after conviction.

Notes for guidance in completing this form

[1] Form 8 is to be used in respect of a house to be closed on breach of undertaking.

In the case of a closing order made in respect of an underground room to which section 11 of the Act applies, this form should be modified on the lines suggested in note 1 of the "Notes for guidance in completing this form" appended to Form 4.

[2] Insert the name of the local authority.

[3] Insert such a description of the house as may be sufficient for identification.

[4] The period must not be less than 28 days.

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

FORM 8

[1] Form of closing order under section 9 of the Act on breach or deemed breach of undertaking.

THE HOUSING (SCOTLAND) ACT, 1950

CLOSING ORDER

Whereas the [2].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section 9 of the Act, being satisfied that the house [3].....is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit, and having complied with the provisions of the said section as to service of notices and the consideration of representations, on the ..... day of ....., 19...., accepted an undertaking from [4].....being the [5][owner of] [holder of a heritable security over] the said house, in the following terms:—

(*Here set out the terms of the undertaking;*)

And Whereas the said undertaking [5][has been broken] [is deemed to have been broken] in the following respects:—

(*Here give particulars of the breach or deemed breach of the undertaking;*)

Now, therefore, the local authority, in exercise of the powers conferred upon them by the proviso to subsection (4) of section 9 of the Act, hereby prohibit the use of the said house for human habitation as from the expiration of [6].....days from the date on which this order becomes operative.

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

(L.S.)

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

Notes

(*To be incorporated in the order and any copies thereof.*)

(*The notes to this form should be the same as the notes to Form 7.*)

Notes for guidance in completing this form

[1] In the case of a closing order made in respect of an underground room to which section 11 of the Act applies, this form should be modified on the lines suggested in note 1 of the "Notes for guidance in completing this form" appended to Form 4.

[2] Insert the name of the local authority.

[3] Insert such a description of the house as may be sufficient for identification.

[4] Insert name of the person from whom the undertaking was accepted.

[5] Delete the words which are not applicable.

[6] The period must not be less than 28 days.

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

FORM 9

[1]Form of order under section 9 of the Act determining a closing order.

THE HOUSING (SCOTLAND) ACT, 1950

DETERMINATION OF CLOSING ORDER

Whereas on the.....day of....., 19...., in exercise of the powers conferred upon them by the proviso to subsection (4) of section 9 of the Housing (Scotland) Act, 1950, the [2]....., the local authority under the said Act, (hereafter in this order referred to as "the local authority"), made a closing order in respect of the house [3].....by which closing order the local authority prohibited the use of the said house for human habitation;

And Whereas the local authority after consideration of an application by the owner of the house to determine the closing order are satisfied that the said house has been rendered fit for human habitation;

Now, therefore, in further exercise of the said powers the local authority hereby determine the closing order aforesaid.

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

(L.S.) .....

(Signature of Clerk to the local authority.)

Notes for guidance in completing this form

[1] In the case of a closing order made in respect of an underground room to which section 11 of the Act applies, this form should be modified on the lines suggested in note 1 of "Notes for guidance in completing this form", appended to Form 4.

[2] Insert the name of the local authority.

[3] Insert such a description of the house as may be sufficient for identification.

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

FORM 10

[1]Form of notice under section 9 of the Act of refusal of local authority to determine a closing order.

THE HOUSING (SCOTLAND) ACT, 1950

To [2].....,
owner of the house [3].....

Take notice that the [4].....,
the local authority under the Housing (Scotland) Act, 1950,

(1) having considered your application to them to determine the closing order made by them on the.....day of....., 19...., in exercise of the powers conferred upon them by the proviso to subsection (4) of section 9 of the said Act, in respect of the above-mentioned house, and

(2) not being satisfied that the said house has been rendered fit for human habitation,

have this day refused to determine the said closing order.

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

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

Notes
(To be incorporated in the notice and any copies thereof)

Section 16 of the said Act provides that, subject to the provisions of that section, any person aggrieved by the refusal of a local authority to determine a closing order may apply to the sheriff by giving notice of appeal within 21 days after the date of the refusal of the local authority.

Notes for guidance in completing this form

[1] In the case of a closing order made in respect of an underground room to which section 11 of the Act applies, this form should be modified on the lines suggested in note 1 of "Notes for guidance in completing this form", appended to Form 4.

[2] Insert the name and residence or place of business of the owner.

[3] Insert such description of the house as may be sufficient for identification.

[4] Insert the name of the local authority.

FORM 11

Form of demolition order under section 12 of the Act on recall of closing orders.

THE HOUSING (SCOTLAND) ACT, 1950

Whereas [1].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by Part II of the Act, have made closing orders in respect of all of the houses comprising the building [2].....which orders have not been determined;

Now, therefore, the local authority, in exercise of the powers conferred upon them by section 12 of the Act, hereby order as follows:—

(1) The said closing orders are hereby recalled;

(2) The said houses comprising the said building shall be vacated within [3].....days from the date on which this order becomes operative;

(3) The said building shall be demolished within three months after the expiration of the aforesaid period, or, if the house is not vacated before the expiration of the aforesaid period, within three months after the date on which it is vacated.

[4]Given under the seal of the [1]..... this..... day of ....., 19.....

(L.S.)

.....

(Signature of Clerk to the local authority.)

Notes

(To be incorporated in the order and any copies thereof)

Section 12 (1) (*a*) of the Act provides as follows:—

(Here quote the whole of section 12 (1) *with the exception of* (*b*) *and thereafter insert note similar to that following Form* 5.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert such description of the building as may be sufficient for identification.
[3] The period must not be less than 28 days.
[4] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 12

Form of closing order under section 13 (1) of the Act in respect of a house for which a building preservation order is in force.

THE HOUSING (SCOTLAND) ACT, 1950

Whereas the [1]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), after complying with the requirements of section 9 of the Act, are satisfied that the house [2]..... is unfit for human habitation and is not capable at a reasonable expense of being rendered so fit;

And Whereas the local authority have accepted no undertaking from an owner or holder of a heritable security with respect to the carrying out of works or the future use of the said house;

And Whereas accordingly the local authority would be under a duty to make a demolition order under Part II of the Act with respect to the said house;

And Whereas a building preservation order under section 27 of the Town and Country Planning (Scotland) Act, 1947, is in force in relation to the said house;

Now, therefore, the local authority, in exercise of the powers conferred upon them by subsection (1) of section 13 of the Act, hereby prohibit the use of the said house for human habitation as from the expiration of [3]..... days from the date on which this order becomes operative.

[4]Given under the seal of the [1]..... this..... day of ....., 19.....

(L.S.)

.....

(Signature of Clerk to the local authority.)

Notes

(To be incorporated in the order and any copies thereof.)

In accordance with the provisions of subsection (3) of section 13 of the Act the local authority are required to determine a closing order made by them under that section if they are satisfied that the house has been rendered fit for human habitation.

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

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert such description of the house as may be sufficient for identification.
[3] The period must not be less than 28 days.
[4] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 13

Form of order under section 13 (2) of the Act substituting a closing order for a demolition order made in respect of a house in relation to which a building preservation order has taken effect.

THE HOUSING (SCOTLAND) ACT, 1950

Whereas the [1].....,
the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by Part II of the Act, on the.....day of....., 19.... made a demolition order in respect of the house, [2]..... which order [3][became] [would become] operative on the.....day of ....., 19....;

And Whereas a building preservation order under section 27 of the Town and Country Planning (Scotland) Act, 1947, has taken effect in relation to the said house;

Now, therefore, the local authority, in exercise of the powers conferred upon them by subsection (2) of section 13 of the Act, hereby order as follows:—

(1) The said demolition order is hereby determined;

(2) The local authority hereby prohibit the use of the said house for human habitation as from the expiration of [4].....days from the date on which this order becomes operative.

[5]Given under the seal of the [1].....
this.....day of....., 19....

(L.S.) .....
(Signature of Clerk to the local authority.)

Notes
(To be incorporated in the order and any copies thereof.)

In accordance with the provisions of subsection (2) of section 13 of the Act, where a building preservation order takes effect in relation to a house to which a demolition order applies, the local authority are required to determine the demolition order and make a closing order prohibiting the use of the house for human habitation, and to serve on the person having the control of the house and also on any other person who is an owner thereof, notice that the demolition order has been determined and a copy of the closing order.

In accordance with the provisions of subsection (3) of section 13 of the Act the local authority are required to determine a closing order made by them under that section if they are satisfied that the house has been rendered fit for human habitation.

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

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert such description of the house as may be sufficient for identification.
[3] Delete the words which are not applicable.
[4] The period must not be less than 28 days.
[5] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 14

Form of notice under section 13 (2) of the Act of determination of demolition order in respect of a house in relation to which a building preservation order has taken effect.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....,
the [2][person having the control] [owner] of the house[3] .....

Take notice that the [4].....,
the local authority under the Housing (Scotland) Act, 1950, in accordance with the provisions of subsection (2) of section 13 of that Act hereby give notice that the demolition order made by them on the ..... day of ....., 19.... in respect of the said house has been determined, and a closing order made in respect of the said house. A copy of the said closing order is enclosed herewith.

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

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

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the notice is addressed.
[2] Delete the words which are not applicable.
[3] Insert such description of the house as may be sufficient for identification.
[4] Insert the name of the local authority.

FORM 15

Form of order under section 13 (3) of the Act determining a closing order in respect of a house subject to a building preservation order.

THE HOUSING (SCOTLAND) ACT, 1950

Whereas on the ..... day of .....,19....,
in exercise of the powers conferred upon them by section 13 of the Housing (Scotland) Act, 1950, the [1].....,
the local authority under the said Act, (hereafter in this order referred to as "the local authority"), made a closing order in respect of the house [2].....
.....by which closing order the local authority prohibited the use of the said house for human habitation;

And Whereas the local authority are satisfied that the said house has been rendered fit for human habitation;

Now, therefore, in exercise of the powers conferred upon them by subsection (3) of the said section of the said Act, the local authority hereby determine the closing order aforesaid.

[3]Given under the seal of the [1].....
this ..... day of ....., 19....

(L.S.) .....
(Signature of Clerk to the local authority.)

Notes for guidance in completing this form.

[1] Insert the name of the local authority.
[2] Insert such description of the house as may be sufficient for identification.
[3] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 16

Form of notice of refusal of local authority to determine a closing order under section 13 of the Act in respect of a house subject to a building preservation order.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....

Take notice that the [2].....,
the local authority under the Housing (Scotland) Act, 1950,

(1) having considered the determination of the closing order made by them on the ..... day of ....., 19....., in exercise of the powers conferred upon them by section 13 of the said Act, in respect of the house [3] ....., and

(2) not being satisfied that the said house has been rendered fit for human habitation,

have this day refused to determine the said closing order.

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

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

Notes

(To be incorporated in the notice and any copies thereof.)

Section 16 of the said Act provides that, subject to the provisions of that section, any person aggrieved by the refusal of a local authority to determine a closing order may appeal to the sheriff by giving notice of appeal within 21 days after the date of the refusal of the local authority.

Notes for guidance in completing this form

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

FORM 17

Form of charging order under section 20 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CHARGING ORDER

The [1].....the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 20 of that Act, do hereby provide and declare that the subjects described in the schedule hereto are hereby charged and burdened with payment to [2]..... his executors or assignees of an annuity of [3].....sterling payable on the [4].....day of..... in the year..... and in every year for the term of thirty years from the date of this order.

Schedule

Description of subjects[5]	Name and designation of owner	Name of occupier	Parish	County

[6] Given under the seal of the [1] .....this ..... day of....., 19.....

(L.S.) .....

(Signature of Clerk to the local authority.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert the name and designation of the owner of the house.
[3] Insert in words the amount of the annuity as provided for in section 20 (3) of the Act.
[4] Insert a date one year from the date of the order.
[5] Describe the subjects preferably by reference to a recorded title.
[6] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 18

Form of charging order under section 22 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CHARGING ORDER

The [1].....the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 22 of that Act, do hereby provide and declare that the subjects described in the schedule hereto are hereby charged and burdened with payment to [1]..... .....or their assignees of an annuity of [2]..... sterling, payable on the [3].....day of.....in the year .....and in every year for the term of thirty years from the date of this order.

Schedule

Description of subjects[4]	Name and designation of owner	Name of occupier	Parish	County

[5] Given under the seal of the [1]..... this..... day of ....., 19....

(L.S.) .....

(Signature of Clerk to the local authority.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert in words the amount of the annuity as provided for in section 20 (3) of the Act.
[3] Insert a date one year from the date of the order.
[4] Describe the subjects preferably by reference to a recorded title.
[5] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 19

Form of clearance order under section 26 and the First Schedule to the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CLEARANCE ORDER

Whereas the [1].....,the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), being satisfied as respects an area in their district that—

(1) [2][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 Act, caused that area to be defined on a map in such a manner as not to include therein 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 proviso (*b*) to subsection (1) of section 25 of the Act 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 [3].....Clearance Area;

And Whereas, in exercise of their powers under the said section 25, the local authority have determined by a resolution passed at a meeting held on the .....day of....., 19.... to proceed to secure the clearance of [2][the area] [part of the area] by ordering the demolition of the buildings hereinafter referred to;

Now, therefore, the local authority, in exercise of the powers conferred upon them by section 26 of the Act, hereby make the following Clearance Order—

1.—(1) The buildings specified in, or consisting of the houses and premises specified in, the schedule hereto and comprising the whole buildings within the area edged yellow and coloured red on a map marked [4]..... and signed and sealed with reference to this order and deposited at the offices of the local authority, shall be demolished.

(2) For the purpose of demolition, each of the houses and premises specified in the schedule shall be vacated on or before the expiration of the period specified in the sixth column thereof opposite to the number and description of the house or premises.

2. The houses specified in Part I of the schedule hereto are the houses included in this order which are unfit for human habitation.

3.—(1) This order may be cited as the [6]..... Clearance 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.

[7]Given under the seal of the [1]..... this.....day of....., 19.....

(L.S.)

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

Schedule

Part I

Houses included in the order which are unfit for human habitation.

Numbers on map deposited at offices of the local authority (1)	Description and situation of 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)	Period from the date when the order comes into operation within which the houses are to be vacated[5] (6)

Part II

Houses and premises included in the order other than houses which are unfit for human habitation.

Numbers on map deposited at offices of the local authority (1)	Description and situation of houses and premises (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)	Period from the date when the order comes into operation within which the houses are to be vacated[5] (6)

Notes for guidance in completing this form

[1] Insert the name of the local authority.

[2] Delete the words which are not applicable.

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

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

[5] In terms of paragraph 1 of the First Schedule to the Act the local authority must fix a period within which they require the buildings to be vacated. The period is in their discretion, but it must not be less than 28 days from the date

when the order comes into operation. The local authority may fix different periods as respects different buildings. The date when alternative accommodation may be available will have a bearing on the date to be fixed.

The Second Schedule to the Act provides that, when a clearance 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 Schedule: but if 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, or that the interests of the applicant have been substantially prejudiced by any requirement of the Act 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.

[6] Insert a suitable short title.

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

Note for local authority

Before submitting a clearance order for confirmation, the local authority must, in terms of section 45 (1) of the 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 owner. (See Form 34.)

FORM 20

Form of advertisement under section 26 and paragraph 4 of the First Schedule to the Act of the making of a clearance order.

THE HOUSING (SCOTLAND) ACT, 1950

The [1]..... Clearance Order, 19.....

Notice is hereby given, that the [2]....., the local authority under the Housing (Scotland) Act, 1950, have, in exercise of the powers conferred upon them by that Act, made the above-mentioned clearance order requiring the demolition of all the buildings within the area described in the schedule hereto and their vacation within the period or periods respectively specified in the schedule to the order.

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 [3].....and may be seen there without payment of fee between the hours of .....and .....

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

.....

(Signature of Clerk to the local authority)

Schedule

(*Here insert a description of the area to which the clearance order applies such as will enable the area to be identified.*)

Notes for guidance in completing this form

[1] Insert the title of the order.

[2] Insert the name of the local authority.

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

Note for local authority

The local authority should forward to the Secretary of State, by addressing 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 him.

FORM 21

Form of notice under section 26 and paragraph 4 of the First Schedule to the Act to owners, superiors, holders of heritable securities, lessees and occupiers, of the making of a clearance order.

THE HOUSING (SCOTLAND) ACT, 1950

The [1]..... Clearance Order, 19.....

To [2].....

Take notice that the [3]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), have, in exercise of the powers conferred upon them by the Act, made the above-mentioned clearance order requiring the demolition of all the buildings specified in, or consisting of the houses and other premises specified in, the schedule to the order.

The order includes the houses and other premises described in the schedule hereto—in which property you are believed to be interested as

[4] { owner. / superior. / holder of a heritable security. / lessee. / occupier. }

The order requires that for the purpose of demolition each property shall be vacated on or before the expiration of the period specified in the sixth column of the schedule hereto opposite to the description of the property.

The clearance 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 [5].....day of....., 19..... A copy of any objection lodged should also be sent to the Clerk to the local authority at [6].....

Copies of the order and of the map referred to therein and a map showing the clearance area have been deposited at [7]..... and may be seen there without payment of fee between the hours of ..... and .....

[8] [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.

In the case of the houses specified in Part I of the schedule to the clearance order as being unfit for human habitation, no compensation is payable under the Act in respect of the demolition of the building.

In the case of the houses and premises specified in Part II of the schedule to the order, the local authority are, in terms of section 37 of the Act, liable to pay to the owner compensation ascertained in accordance with the provisions of that section.]

The Act provides that if no objection is duly made by the owner or lessee or occupier of, or the superior of, or holder of a heritable security over, any 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; but in any other case he 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 provides (*quote so far as appropriate*).

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 also provides that when a clearance 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 the Act; but if in accordance with the provisions of the Second Schedule to the Act 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 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act 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.

The Act further provides that when a clearance order has become operative the owner of any building to which the order applies shall demolish that building before the expiration of three months from the date on which the building is required by the order to be vacated, or, if it is not vacated until after that date, before the expiration of three months from the date on which it is vacated.

Section 157 of the Act makes provision for the local authority or the owner obtaining possession of any building or house or part thereof in respect of which a clearance order has become operative.

Section 18, as applied by section 26 of the Act provides (*state effect of the section*).

Subsections (4) and (5) of section 26 of the Act, which restrict the use of land after a clearance order becomes operative, provide (*here quote the whole of the subsections*).

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 house or other premises	Owners or reputed owners	Lessees or reputed lessees	Occupiers (except tenants for a month or a less period than a month)	Period from the date when the order comes into operation within which the house or premises are to be vacated	[a]Part of schedule to clearance order in which the house or premises are specified[a]
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Notes for guidance in completing this form

[1] Insert the title of the order.

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

[3] Insert the name of the local authority.

[4] Delete the words which are not applicable.

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

[6] Insert the address to which a copy of any objection should be sent.

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

[8] These three paragraphs and also the last column of the schedule should be omitted in the case of notices to lessees and occupiers.

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

FORM 22

Form of advertisement and notice under section 26 and paragraph 1 of the Second Schedule to the Act of confirmation of a clearance order.

THE HOUSING (SCOTLAND) ACT, 1950

The [1].....Clearance Order, 19....

Notice is hereby given that the Secretary of State has, in exercise of the powers conferred on him by the Housing (Scotland) Act, 1950, (hereafter in this notice referred to as "the Act"), on the ..... day of ....., 19...., confirmed [2][with modifications] the [1].....Clearance Order, 19...., submitted to him by the [3]..... ordering the demolition of all the buildings within the area described in the schedule hereto and their vacation within the [4][period] [periods respectively] specified in the order.

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 will become operative at the expiration of thirty days from the date of the publication of this notice, but if, in accordance with the provisions of the Second Schedule to the Act, 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 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act 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.

[6][Demolition of any building comprised in the confirmed order in respect of which the local authority give or have given notice to the owners that they intend to cleanse the building from vermin after it is vacated and before it is demolished shall be deferred until the local authority serve a further notice on the owner authorising him to proceed with the demolition.]

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

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

Schedule

(Here insert description of the area to which the clearance order as confirmed applies, such as will enable the area to be identified.)

Notes for guidance in completing this form

[1] Insert the title of the order.

[2] Delete this if it is not applicable.

[3] Insert the name of the local authority.

[4] Delete the words which are not applicable.

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

[6] This paragraph may be omitted if the local authority do not intend to cleanse any building comprised in the order.

Note for local authority

In accordance with the provisions of paragraph 1 of the Second Schedule to the Act, the local authority are required, as soon as may be after the clearance order has been confirmed by the Secretary of State, to publish the foregoing notice in a newspaper circulating in their district. A copy of the 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 requires the local authority, so soon as may be after an order has become operative, to serve a copy thereof on every person on whom a notice was served by them of their intention to submit the order to the Secretary of State for confirmation.

FORM 23

Form of notice under section 18 or section 26 of the Act of intention to cleanse from vermin a house or building to be demolished under a demolition order or a clearance order.

THE HOUSING (SCOTLAND) ACT, 1950

To [1] ....., owner of the [2][house] [building] [3]..... being a [2][house] [building] in respect of which a [2][demolition order] [clearance order] made on the ..... day of ....., 19...., applies.

Take notice that the [4]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section [2][18] [26] of the Act intend to cleanse the above-mentioned [2][house] [building] from vermin before its demolition.

Section [2][18 (2)] [26 (7)] of the Act provides that a local authority who have served a notice that they intend to cleanse a [2][house] [building] to which a [2][demolition order] [clearance order] applies, may, at any time after the order has become operative in relation to the [2][house] [building] and it has been vacated, enter the [2][house] [building] and carry out such work as they may think requisite for the purpose of destroying or removing vermin, and that the demolition of the [2][house] [building] shall not be begun or continued by any owner after service of such a notice on him until the local authority have served on him a further notice authorising him to proceed with the demolition;

Provided that an owner upon whom such a notice has been served may, at any time after the [2][house] [building] has been vacated, serve notice in writing on the local authority requiring them to carry out the work within fourteen days from receipt of the notice served by him, and at the expiration of that period shall be at liberty to proceed with the demolition of the [2][house] [building] whether the work has then been completed or not.

[2][Subsection (3) of section 18 of the Act provides that where a local authority have served a notice that they intend to cleanse a house to which a demolition order applies, the local authority shall not be entitled to take action under the power granted them by subsection (1) of section 14 of the Act to enter and

demolish the house and sell the materials thereof if the house is not demolished within the time limited in that behalf by the order until the expiration of a period of three months from the date on which the owner becomes entitled by virtue of subsection (2) of section 18 of the Act to proceed with the demolition.]

[2][Subsection (7) of section 26 of the Act provides that where a local authority have served a notice that they intend to cleanse a building to which a clearance order applies, the local authority shall not be entitled to take action under the power granted them in subsection (3) of that section to enter and demolish the building and sell the materials thereof until the expiration of three months from the date on which the owner became entitled by virtue of subsection (2) of section 18 of the Act to proceed with the demolition.]

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

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

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the notice is addressed.
[2] Delete whichever is not applicable.
[3] Insert description of the house or building to which the notice relates.
[4] Insert the name of the local authority.

FORM 24

Form of notice under section 18 or section 26 of the Act to proceed with demolition after a house or building has been cleansed from vermin.

THE HOUSING (SCOTLAND) ACT, 1950

To [1]....., owner of the [2][house] [building] [3].....

Take notice that—

(1) the [4]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), have completed the cleansing from vermin of the above-mentioned [2][house] [building] to which a [2][demolition] [clearance] order applies, the order having become operative on the ..... day of ....., 19...., and in relation to which a notice of intention to cleanse from vermin was served upon you by the local authority on the ..... day of ....., 19...., and

(2) in exercise of the powers conferred upon them by subsection (2) of section 18 [5][as applied by subsection (7) of section 26] of the Act the local authority hereby authorise and require you to proceed with the demolition of the said [2][house] [building] in accordance with the said [2][demolition] [clearance] order.

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

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

Note
(To be incorporated in the notice and any copies thereof.)

[2][Subsection (3) of section 18 of the Act provides that where a local authority have served a notice of intention to cleanse from vermin a house to which a demolition order applies, the local authority shall not be entitled to take action under the power granted them by subsection (1) of section 14 of the Act to enter and demolish the house and sell the materials thereof if the house is not demolished within the time limited in that behalf by the order, until the expiration of a period of three months from the date on which the owner became entitled by virtue of subsection (2) of section 18 of the Act to proceed with the demolition.]

[2][Subsection (7) of section 26 of the Act provides that where a local authority have served a notice of intention to cleanse from vermin a building to which a clearance order applies the local authority shall not be entitled to take action under the power granted them in subsection (3) of that section to enter and demolish the building and sell the materials thereof until the expiration of three months from the date on which the owner became entitled by virtue of subsection (2) of section 18 of the Act to proceed with the demolition.]

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the notice is addressed.
[2] Delete whichever is not applicable.
[3] Insert description of the house or building to which the notice relates.
[4] Insert the name of the local authority.
[5] Delete this in the case of a house to which a demolition order applies.

FORM 25

[1]Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Act in respect of land comprised in a clearance area and land surrounded by or adjoining the area.

THE HOUSING (SCOTLAND) ACT, 1950

COMPULSORY PURCHASE ORDER

Whereas the [2]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), 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 Act, 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, 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, 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 [3][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, have by a resolution passed at a meeting on the ..... day of ....., 19.., determined to purchase certain other land hereinafter mentioned as [3][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, 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, 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, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.
5. —(1) This order may be cited as the [7]..... 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.

[8]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)

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)

[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)

Notes for guidance in completing this form

[1] Form 26 should be used where it is proposed to acquire separately land surrounded by or adjoining a clearance area.

In cases to which this form of compulsory purchase order applies, Form 27 is the appropriate form of advertisement; Form 28 is the appropriate form of notice to owners, etc.; and Form 30 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] Insert a suitable short title.

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

Notes for local authority

In terms of section 29 (2) of the Act a compulsory purchase order in respect of land comprised in a clearance area must be submitted to the Secretary of State within six months after the date of the clearance resolution or within such longer period as the Secretary of State may allow.

In most cases local authorities will no doubt include in one compulsory purchase order all the land they propose to acquire in or in connection with a clearance area. But to meet any cases where the local authority find it necessary or desirable to make a separate compulsory purchase order in respect of land surrounded by or adjoining the area, a separate form of order has also been prescribed. (See Form 26.)

Before submitting a compulsory purchase order for the purposes of Part III of the Act for confirmation by the Secretary of State the local authority must in terms of section 45 (1) of the 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 owner. (See Form 34.)

FORM 26

[1]Form of compulsory purchase order under section 29 and paragraphs 1 to 3 of the Third Schedule to the Act in respect of land surrounded by or adjoining a clearance area.

THE HOUSING (SCOTLAND) ACT, 1950

COMPULSORY PURCHASE ORDER

Whereas the [2].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in accordance with the provisions of section 25 of the Act, 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 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, 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, 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, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.

3.—(1) This order may be cited as the [8].....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.

[9]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)

Notes for guidance in completing this form

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

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

Notes for local authority

Land surrounded by or adjoining a clearance area cannot be acquired unless the local authority are also acquiring or have acquired land within the area. (See section 27 of the Act.)

In accordance with the provisions of section 29 (2) of the Act, a compulsory purchase order in respect of land surrounded by or adjoining a clearance area must be submitted to the Secretary of State within twelve months after the date of the clearance resolution, or within such longer period as the Secretary of State may allow.

Before submitting a compulsory purchase order for the purposes of Part III of the Act for confirmation by the Secretary of State, the local authority must, in terms of section 45 (1) of the 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 owner. (See Form 34.)

FORM 27

[1]Form of advertisement under section 29 and paragraph 4 of the Third Schedule to the Act 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.

THE HOUSING (SCOTLAND) ACT, 1950

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

Notice is hereby given that the [3]....., the local authority under the Housing (Scotland) Act, 1950, have, in exercise of the powers conferred upon them by that Act, 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 said 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 .....

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 25 applies. It should be suitably amended to meet the case of a compulsory purchase order made in either of the Forms 26 or 31.

[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.

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 28

[1]Form of notice under section 29 and paragraph 4 of the Third Schedule to the Act 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.

THE HOUSING (SCOTLAND) ACT, 1950

The [3]..... Clearance Area Compulsory Purchase Order, 19....

To [3].....

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

[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 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 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 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 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 the Act; but if, in accordance with the provisions of the Second Schedule to the Act, 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 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act 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 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]
(1)	(2)	(3)	(4)	(5)	(6)

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

(1) [11] 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 shall be such amount as represents the value at the time the valuation is made of the site of the house 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, and subject as aforesaid shall be assessed in accordance with the Acquisition of Land (Assessment of Compensation) Act, 1919.

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.]

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 25 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 the last column 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 explanatory notes should be amended by deleting therefrom any parts which are not applicable, and making all necessary consequential amendments.

FORM 29

[1]Form of notice under section 29 and paragraph 4 of the Third Schedule to the Act 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.

THE HOUSING (SCOTLAND) ACT, 1950

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

To [3].....

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

The Act 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 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 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 the Act; but if, in accordance with the provisions of the Second Schedule to the Act, 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 or that the interests of the applicant have been substantially prejudiced by any requirement of the Act 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)

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 26 applies. It should be suitably amended to meet the case of a compulsory purchase order to which Form 31 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 the notice.

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

[8] Insert the address of place of deposit.

FORM 30

[1]Form of advertisement and notice under section 29 and paragraph 1 of the Second Schedule to the Act of confirmation of a compulsory purchase order in respect of land comprised in a clearance area and land surrounded by or adjoining the area.

THE HOUSING (SCOTLAND) ACT, 1950

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) Act, 1950, (hereafter in this notice referred to as "the Act"), 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 Act, 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 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, 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 or that the interests of the applicant have been substantially

prejudiced by any requirement of the Act 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 25 applies. It should be suitably amended to meet the case of a compulsory purchase order made in either of the Forms 26 or 31.

[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.

Note for local authority

Paragraph 1 of the Second Schedule to the Act 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 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 31

[1]Form of compulsory purchase order under section 32 and paragraphs 1 to 3 of the Third Schedule to the Act in respect of cleared land which owners have failed to redevelop.

THE HOUSING (SCOTLAND) ACT, 1950

COMPULSORY PURCHASE ORDER

Whereas the [2].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section 26 of the Act 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, 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, 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, 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, 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, are hereby incorporated in this order, and the provisions of those Acts shall apply accordingly.

3.—(1) This order may be cited as the [8].....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.

[9]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)

Notes for guidance in completing this form

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

[9] See section 167 (1) of the Act 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 for confirmation by the Secretary of State, the local authority must, in terms of section 45 (1) of the 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 owner. (See Form 34.)

FORM 32

Form of order under section 43 of the Act extinguishing a public right of way or closing or diverting a street.

THE HOUSING (SCOTLAND) ACT, 1950

Whereas the [1].....the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this order referred to respectively as "the local authority" and "the Act"), in exercise of the powers conferred upon them by section 43 of the Act, by a resolution passed at a meeting of the local authority on the.....day of ....., 19...., determined to order [2][the extinction of the public right of way [3]..... over the land situated at [3].....the line of which public right of way is shown on the map marked [4].....and signed and sealed with reference to this order and deposited at the offices of the local authority, by dotted lines between the points A and B and hatched blue on said map, and which land is shown coloured red on the same map] [the closing] [the diversion] [of [3].....street the line of which street is shown on the map marked [4].....signed and sealed with reference to this order and deposited at the offices of the local authority, by dotted lines between the points A and B and hatched blue on said map].

Now, therefore, the local authority in exercise of the powers conferred upon them by the said section hereby order [2][that the said public right of way over the said land] [that the said street] shall be [2][closed] [diverted along the line shown on the said map by dotted lines between the points C and D and thereon hatched brown on the said map] as from the [5].....day of ....., 19....

This order may be cited as [6].....

[7]Given under the seal of the [1].....this..... day of....., 19.....

(L.S.)

.....

(Signature of Clerk to the local authority.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.

[2] Delete the words which are not applicable.

[3] Insert such a description of the public right of way or street or land as may be sufficient for identification.

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

[5] If the order is for the extinction of a right of way and it is made in advance of the purchase of the land, the order may, under the provisions of section 43 (2) of the Act, extinguish the right of way, as from the date on which the buildings on the land are vacated, or at the expiration of such period after that date as may be specified in the order or as the Secretary of State in approving the order may direct. In any other case the date of operation of the order should be stated either as the date of its approval by the Secretary of State or as at the expiration of a specified time thereafter.

[6] Insert a suitable short title.

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

FORM 33

Form of notice under section 43 of the Act of the making of an order extinguishing a public right of way or closing or diverting a street.

THE HOUSING (SCOTLAND) ACT, 1950

Notice is hereby given that the [1].....the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 43 of the said Act, on the.....day of....., 19...., made an order [2][extinguishing the public right of way] [providing for the closing of the street] [providing for the diverting of the street] described in the schedule hereto.

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

A copy of the order and of the map referred to therein showing the [2][right of way] [street] have been deposited at [3]..... and may be seen there without payment of fee between the hours of.....and.....

Any objections to the order must be made to the Secretary of State in writing stating the grounds of objection and should be addressed to the Secretary, Department of Health for Scotland, St. Andrew's House, Edinburgh, 1, before the expiration of two months from the date of the publication of this notice and a copy of any objection lodged should be sent to the local authority at [4].....
.....

Subsection (1) of the said section 43 provides that if any objection to the order is made to the Secretary of State before the expiration of the aforesaid period of two months the Secretary of State shall not approve the order until he has caused a public local inquiry to be held into the matter.

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

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

Schedule

(Here insert such a description of the public right of way or the street to which the order relates as may be sufficient for identification.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Delete the words which are not applicable.
[3] Insert the address of the place of deposit.
[4] Insert the address to which a copy of objection is to be sent.

Note for local authority

Immediately after the publication of the notice the local authority should forward a copy thereof to the Secretary of State, by addressing it to the Secretary, Department of Health for Scotland, St. Andrew's House, Edinburgh, 1.

FORM 34

Form of notice under section 45 of the Act to owner of subjects requiring information as to superior of, and holders of heritable securities over, subjects included in clearance order or compulsory purchase order.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....,, owner of the subjects [2].....

Take notice that, in exercise of the powers conferred upon them by section 45 of the Housing (Scotland) Act, 1950, the [3].....,, the local authority under the said Act, hereby require you within two weeks from the date of this notice to furnish them with a written statement specifying the name and address of the superior of, and the holder of any heritable security over, the said subjects.

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

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

Note
(To be incorporated in the notice and any copies thereof.)

Section 45 of the Housing (Scotland) Act, 1950 provides that, before submitting to the Secretary of State for confirmation a clearance order or a compulsory purchase order for the purposes of Part III of that Act, the local authority shall 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. If any person so required by the local authority fails to give that information or knowingly makes any misstatement with reference thereto, he shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding five pounds.

By section 184 of the said Act "superior" includes the creditor in a ground annual.

Notes for guidance in completing this form

[1] Insert the name and residence or the place of business of the owner.
[2] Insert such a description of the subjects as may be sufficient for identification.
[3] Insert the name of the local authority.

FORM 35

Form of notice under section 46 of the Act of (1) time and place at which the question of the demolition of an obstructive building will be considered; and (2) request for information as to superior of, and holder of any heritable security over, such building.

THE HOUSING (SCOTLAND) ACT, 1950

To [1]......, the owner[s] of the building situated at [2].....

Whereas it appears to [3]....., the local authority under the Housing (Scotland) Act, 1950, (which Council and which Act are hereafter in this notice referred to respectively as "the local authority" and "the Act"), that the above-mentioned building is by reason only of its contact with, or proximity to, other buildings injurious or dangerous to health, and is an obstructive building within the meaning of section 46 (6) of the Act.

Take notice—

(1) that the question of demolishing the building will be considered by the local authority at [4].....on the [5].....day of....., 19.., at.....o'clock in the.....noon, and that you will be entitled to be heard when the matter is so taken into consideration; and

(2) that in exercise of the powers conferred upon them by section 46 of the Act, the local authority require you within two weeks from the date of this notice to furnish them with a written statement specifying the name and address of the superior of whom you hold, and of the holder of any heritable security over your interest in the building.

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

.....

(Signature of Clerk to the local authority.)

Notes

(To be incorporated in the notice and any copies thereof.)

Sections 46 and 47 of the Act provide:—

(Here quote the whole of these sections.)

By section 184 of the Act "superior" includes the creditor in a ground annual.

Notes for guidance in completing this form

[1] Insert the name and address of the person or body to whom the notice is addressed.

[2] Insert such a description of the building as may be sufficient for identification.

[3] Insert the name of the local authority.

[4] Insert the name and address of the place where the matter will be considered.

[5] The time must not be less than one month after the service of this notice.

FORM 36

Form of licence under section 52 of the Act for temporary use of house by persons in excess of the permitted number.

THE HOUSING (SCOTLAND) ACT, 1950

The [1]....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 52 of the said Act, hereby authorise [2]..... the [3][occupier] [intending occupier] of the house [4]..... to permit.....persons in excess of the permitted number [5]..... to sleep in the said house during the period from [6].....to....., [3][subject to the following conditions:—]

This licence will not in any circumstances continue in force beyond the..... day of....., 19.., and it may be revoked before then at the discretion

of the local authority by means of a notice in writing served upon the occupier specifying a period (not being less than one month from the date of the service of the notice) at the expiration of which the licence is to cease to be in force.

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

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

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert the name and address of the occupier or intending occupier.
[3] Delete the words which are not applicable.
[4] Insert short description of house.
[5] Insert the number of persons permitted.
[6] The period must not exceed twelve months.

Note for local authority

Subsection (4) of section 52 of the Act requires a local authority to serve a copy of any licence granted under that section and of any notice served thereunder on the landlord, if any, of the house to which it relates within seven days after the issue of the licence or the service of the notice on the occupier, as the case may be.

FORM 37

Form of notice under section 52 of the Act of revocation of licence for temporary use of house by persons in excess of permitted number.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....,
occupier of the house [2].....

Take notice that the [3]....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by subsection (3) of section 52 of the said Act, hereby give notice that the licence granted to you by the said local authority dated the..... day of....., 19.., and authorising you to permit.....persons in excess of the permitted number to sleep in the said house shall cease to be in force on the [4]..... day of ....., 19....

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

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

Notes for guidance in completing this form

[1] Insert the name and address of the occupier.
[2] Insert short description of house.
[3] Insert the name of the local authority.
[4] The period must not be less than one month from the date of service of the notice.

Note for local authority

Subsection (4) of section 52 of the Act requires a local authority to serve a copy of any licence granted under that section and of any notice served thereunder on the landlord, if any, of the house to which it relates within seven days after the issue of the licence or the service of the notice on the occupier, as the case may be.

FORM 38

Form of statement of permitted number of persons under section 54 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

Date ....., 19....

To [1].....

With regard to the house at.....which you desire to take on let, I hereby state for your information in accordance with the provisions of subsection (1) of section 54 of the above-mentioned Act that the number of persons permitted to sleep in the said house, as defined in the Fifth Schedule to the said Act, is [2].....(.....)

Signature of landlord.....

Note:—A child who has attained one year and is under 10 years old is reckoned as one half of a unit. No account is taken of a child under one year old.

Notes for guidance in completing this form

[1] Enter the name and address of the intending tenant.
[2] State the permitted number in words and numerals.

FORM 39

Form of acknowledgment under section 54 of the Act to be obtained by landlord.

THE HOUSING (SCOTLAND) ACT, 1950

Date ....., 19....

To [1].....

I acknowledge having received from you in accordance with the provisions of subsection (1) of section 54 of the above-mentioned Act a written statement, dated the.....day of....., 19.., of the permitted number of persons in relation to the house at..... which I desire to take on let. I note that according to the statement the permitted number of persons is [2].....(.....).

Signature of intending tenant.....

Notes for guidance in completing this form

[1] Enter the name and address of the landlord.
[2] State the permitted number in words and numerals.

FORM 40

Form of charging order under section 76 of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CHARGING ORDER

The [1].....the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 76 of that Act, do hereby provide and declare that the subjects described in the schedule hereto are hereby charged and burdened with payment to [1].....or their assignees of an annuity of [2].....sterling, payable on the [3].....day of.....in the year.....and in every year for the term of [4].....years from the date of this order.

Schedule

Description of subjects[5]	Name and designation of owner	Name of occupier	Parish	County

[6]Given under the seal of the [1]..... this ..... day of ....., 19....

(L.S.)

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

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert in words the amount of the annuity as agreed in terms of section 76 (2) of the Act.
[3] Insert a date one year from the date of the order.
[4] State term of years, which must not exceed 30, as agreed in terms of section 76 (2) of the Act.
[5] Describe the subjects preferably by reference to a recorded title.
[6] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 41

Form of notice to be given before a charging order under section 76 of the Act is made.

THE HOUSING (SCOTLAND) ACT, 1950

To [1].....,
[2][proprietor of] [holder of a heritable security over] [[3].....
part of] the subjects [3].....

Take notice that in exercise of the powers conferred upon them by section 76 of the Housing (Scotland) Act, 1950, [4]....., the local authority under that Act, intend, if no objection in writing is intimated to them within 21 days from the date of service of this notice, to make a charging order charging and burdening the above-mentioned subjects with an annuity of £.....sterling per annum payable for the term of.....years.

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

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

Notes for guidance in completing this form

[1] Insert the name and address of the person to whom the notice is addressed.
[2] Delete the words which are not applicable.
[3] Insert such description as may be necessary for identification.
[4] Insert the name of the local authority.

FORM 42

Form of notice under section 114 (5) of the Act of payment of improvement grant.

THE HOUSING (SCOTLAND) ACT, 1950

NOTICE OF PAYMENT OF IMPROVEMENT GRANT

Whereas the [1]....., (hereafter in this notice referred to as "the local authority"), in accordance with the provisions of Part VII of the Housing (Scotland) Act, 1950, have paid to [2]..... [3][the first instalment amounting to [4]..... of] an improvement grant of [4]..... in respect of improvement works relating to [3][*inter alia*] the dwelling described in the schedule hereto:

Now, therefore, notice is hereby given, in accordance with the provisions of subsection (5) of section 114 of the said Act, that:—

(*a*) for a period of twenty years commencing on the [5].....day of....., 19.., the following conditions shall, by virtue of the said section, be observed with respect to the said dwelling:—

(i) the dwelling shall not be used for purposes other than those of a private dwelling-house;

(ii) the dwelling shall not be occupied except by the owner thereof or a tenant;

[6](iii) the annual rent payable by a tenant of the dwelling shall not exceed the amount of [7]..... and no fine, premium or other like sum shall be taken in addition to the rent;

(iv) the owner of the dwelling shall, on being required so to do by the local authority, certify that the foregoing conditions are being observed with respect to the dwelling, and any tenant of the dwelling shall, on being so required in writing by the owner, furnish to him such information as he may reasonably require for the purpose of enabling him to comply with this condition;

(v) all reasonable steps shall be taken to secure the maintenance of the dwelling so as to be in all respects fit for human habitation;

(vi) in the event of a tenant assigning his interest in, or otherwise parting with the possession of, the dwelling, it shall not be lawful for any person in consideration thereof to make any payment other than rent or for the tenant to receive, directly or indirectly, any such payment; and

(*b*) in the event of a breach of any of the conditions above specified during the period during which they are required as aforesaid to be observed with respect to the said dwelling, or in the event of the voluntary alienation of the said dwelling by the owner thereof during the said period, there shall, on being demanded by the local authority, forthwith become payable to them by the owner for the time being of the said dwelling the appropriate proportion, (as defined in section 114 of the said Act), of [8][any sums paid by the local authority by way of improvement grant in respect of the expenses incurred for the purpose of executing the said improvement works, together, in the case of each such sum, with compound interest on that proportion thereof as from the date of payment of the sum, calculated at the rate prescribed by the Secretary of State, with the consent of the Treasury, and with yearly rests] [a part of any sums paid by the local authority by way of improvement grant in respect of the expenses incurred for the purpose of executing the said improvement works bearing to the whole of such sums the same proportion that the approved proportion (as defined in section 111 of the said Act) of the approved expense (as so defined) of executing the said improvement works bears to the whole of the approved expense of executing these works, together, in the case of each part of a sum, with compound interest on the appropriate proportion thereof as from the date of payment of the sum, calculated at the rate prescribed by the Secretary of State, with the consent of the Treasury, and with yearly rests].

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

.....

(Signature of Clerk to the local authority.)

Schedule

Description of the dwelling to which the foregoing notice relates[9]:—

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert the name, designation and address of the recipient of the improvement grant.
[3] Omit this part if it is not applicable.
[4] Insert in words the appropriate amount.
[5] Insert the date from which the period begins in accordance with section 114 (1) of the Act.
[6] Omit this condition in the case of a dwelling used as a residence by a minister or full time lay missionary of any religious denomination by virtue of his office as such minister or missionary.
[7] Insert in words the appropriate amount in accordance with section 114 (1) (*c*) (i) or 114 (1) (*c*) (ii) of the Act as the case may be.
[8] Delete the clause which is not applicable having regard to section 114 (2) (*a*) and (*b*) of the Act.
[9] Describe the dwelling sufficiently to identify it for the purpose of recording in the Register of Sasines, e.g., "All and Whole [in the County of .....] [in the Burgh of ..... and County of .....] being [part of] the subjects described in (Disposition, etc.) by ..... in favour of ..... dated ..... and recorded in the Division of the General Register of Sasines applicable to the ..... of ..... on .....". A separate notice should be used for each resultant dwelling.

FORM 43

Form of charging order under section 114 (6) of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

CHARGING ORDER

The [1]....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by subsection (6) of section 114 of that Act, do hereby provide and declare that the subjects described in the schedule hereto are hereby charged and burdened with payment to [1]..... or their assignees of an amount of [2]..... sterling, payable forthwith.

Schedule

Description of subjects[3]	Name and designation of owner	Name of occupier	Parish	County

'Given under the seal of the [1]..... this ..... day of ....., 19.....

(L.S.)

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

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert in words the sum payable, as provided in section 114 (2) of the Act.
[3] Describe the subjects, preferably by reference to a recorded title.
[4] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 44

Form of discharge of charging order made under section 114 (6) of the Act.

THE HOUSING (SCOTLAND) ACT, 1950

DISCHARGE OF CHARGING ORDER

The [1]....., the local authority under the Housing (Scotland) Act, 1950, in consideration of the sum of ..... sterling paid to them by [2]..... hereby discharge the charging order for an amount of [3]..... sterling made by them on the ..... day of ....., 19....., and recorded in the Division of the General Register of Sasines applicable to the County of..... ..... (Book ..... Folio .....) on the ..... day of ....., 19.....

[4]Given under the seal of the [1]..... this ..... day of ....., 19.....

(L.S.) .....

(Signature of Clerk to the local authority.)

Notes for guidance in completing this form

[1] Insert the name of the local authority.
[2] Insert the name and designation of the person making payment.
[3] Insert in words the amount of the sum payable as in the charging order.
[4] See section 167 (1) of the Act as to the signing and sealing of orders.

FORM 45

Form of notice under section 114 (7) of the Act of cessor of conditions of improvement grant.

THE HOUSING (SCOTLAND) ACT, 1950

NOTICE OF CESSOR OF CONDITIONS OF IMPROVEMENT GRANT

Whereas by notice of payment of improvement grant (amounting to [1].....) dated the.....day of....., 19.., and recorded in the Division of the General Register of Sasines applicable to the ..... on the .....day of ....., 19.., it is provided that for a period of twenty years commencing on the [2]..... day of ....., 19.., there shall with respect to the dwelling described in the schedule hereto be observed the conditions specified in the said notice;

[3][And Whereas the said conditions in so far as relating to the amount which the rent payable by the tenant of the said dwelling is not to exceed were amended as set forth in notice(s) of increase of rent, dated [3][respectively] the ..... day of ....., 19.., and recorded [3][respectively] in the said Division of the General Register of Sasines on the ..... day of ....., 19....;]

And Whereas, in accordance with the provisions of [4][subsection (3) of section 114] [subsection (1) of section 115] of the Housing (Scotland) Act, 1950, observance of the said conditions [3][amended as aforesaid] has ceased to be requisite with respect to the said dwelling;

Now, therefore, the [5] ....., as the local authority concerned under the said Act, hereby give notice, in accordance with the provisions of subsection (7) of section 114 [3][as read along with subsection (3) of section 115] thereof that as from the [6].....day of ....., 19.., the said conditions specified in the said notice of payment of improvement grant [3][as amended as aforesaid] no longer apply to the said dwelling.

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

.....

(Signature of Clerk to the local authority.)

Schedule

Description of the dwelling to which the foregoing notice relates[7]:—

Notes for guidance in completing this form

[1] Insert in words the appropriate amount.
[2] Insert the date as shown in the relevant recorded notice of payment of improvement grant.
[3] Omit this part if it is not applicable.
[4] Omit whichever is not applicable.
[5] Insert the name of the local authority.
[6] Insert the appropriate date of cessation of the conditions in accordance with section 114 (3) *or* section 115 (1) of the Act, as the case may be.
[7] Repeat the description contained in the schedule in the relevant recorded notice of payment of improvement grant. A separate notice should be used for each resultant dwelling.

FORM 46

Form of notice under section 118 of the Act of increase of rent.

THE HOUSING (SCOTLAND) ACT, 1950

NOTICE OF INCREASE OF RENT

Whereas by notice of payment of improvement grant (amounting to [1].....) dated the.....day of ....., 19.., and recorded in the Division of the General Register of Sasines applicable to the ..... on the ..... day of ....., 19.., it is provided that for the period of twenty years commencing on the [2]..... day of ....., 19.., there shall with respect to the dwelling described in the schedule hereto be observed the conditions specified in the said notice, including *inter alia* the following condition:—

"(iii) the annual rent payable by a tenant of the dwelling shall not exceed the sum of [1]..... and no fine, premium or other like sum shall be taken in addition to the rent";

[3][And Whereas, as set forth in notice[s] of increase of rent, dated [3][respectively] the..... day of....., 19.., and recorded [3][respectively] in the said Division of the General Register of Sasines on the ..... day of ....., 19...., the maximum amount of the annual rent payable in terms of the said condition has been increased to [1]..... ;]

And Whereas the [4].....,
as the local authority concerned under the Housing (Scotland) Act, 1950, have on the [5]..... day of ....., 19...., in exercise of the power conferred upon them by section 118 of the said Act, given a direction that the maximum amount of the said annual rent [3][as increased as aforesaid] be [3][further] increased by an amount of [1]..... per annum;

Now, therefore, notice is hereby given, in accordance with the provisions of sub-paragraph (*b*) of the said section 118, that the effect of the said direction is that, as respects any period after the giving of the said direction, and before a subsequent direction is given under the said section in relation to the dwelling or the direction is superseded by reason of the application of the conditions specified in subsection (1) of section 114 of the said Act by virtue of the giving of further assistance under section 111 thereof, whichever event first occurs, the annual rent payable by a tenant of the said dwelling shall, without prejudice to the terms of the said condition in other respects, not exceed the sum of [1].....

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

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

Schedule

Description of the dwelling to which the foregoing notice relates[6]:—

Notes for guidance in completing this form

[1] Insert in words the appropriate amount.
[2] Insert the date as stated in the relevant recorded notice of payment of improvement grant.
[3] Omit this part if it is not applicable.
[4] Insert the name of the local authority.
[5] Insert the date of the direction to which this notice relates.
[6] Repeat the description contained in the schedule to the relevant recorded notice of payment of improvement grant. A separate notice should be used for each resultant dwelling.

FORM 47

Form of notice under section 157 of the Act to occupier to remove from house after demolition order or clearance order has become operative.

THE HOUSING (SCOTLAND) ACT, 1950

To [1]....., the occupier of the house [2].....

Take notice that—

(1) on the ..... day of ....., 19...., the [3]....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section [4][9] [26] of that Act, made an order (hereinafter referred to as "the [4][demolition] [clearance] order") to the effect that:—

(*a*) the above-mentioned house be vacated within [5].....days from the date on which the order becomes operative;

(*b*) the said house be demolished within three months after the expiration of the aforesaid period, or, if the house is not vacated before the expiration of the aforesaid period, within three months after the date on which it is vacated;

(2) the [4][demolition] [clearance] order became operative on the.....day of ....., 19....;

(3) in exercise of the powers conferred upon them by section 157 of the said Act, the local authority hereby require you to remove from the said house on or before the [6]..... day of ....., 19....

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

.....

(Signature of Clerk to the local authority.)

Notes

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

Subsections (1), (2) and (4) of section 157 of the Housing (Scotland) Act, 1950, which provide *inter alia* for the recovery of possession of buildings subject to a demolition or clearance order, are in the following terms:—

(*Here quote subsections* (1), (2) *and* (4) *of section* 157.)

Notes for guidance in completing this form

[1] Insert the name of the occupier.
[2] Insert such a description of the house as may be sufficient for identification.
[3] Insert the name of the local authority.
[4] Delete whichever is not applicable.
[5] Insert the number of days as specified in the order.
[6] The date to be inserted is either the date that was specified in the order by which the house was to be vacated, or 28 days from the service of this notice, whichever date may be the later.

FORM 48

Form of notice under section 157 of the Act to occupier to remove from house after closing order has become operative.

THE HOUSING (SCOTLAND) ACT, 1950

To [1] ....., the occupier of the house [2].....

Take notice that—

(1) on the ..... day of ....., 19...., the [3]..... ....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 9 of that Act, made an order (hereinafter referred to as "the closing order") prohibiting the use of the said house for human habitation as from the expiration of [4]..... .....days from the date on which the order became operative;

(2) the closing order became operative on the ..... day of ....., 19....;

(3) in exercise of the powers conferred upon them by section 157 of the said Act, the local authority hereby require you to remove from the said house on or before the [5]..... day of ....., 19.....

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

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

Notes
(*To be incorporated in the notice and any copies thereof.*)

Subsections (1), (2) and (4) of section 157 of the Housing (Scotland) Act, 1950, which provide *inter alia* for the recovery of possession of buildings subject to a closing order, are in the following terms:—

(*Here quote subsections* (1), (2) *and* (4) *of section* 157.)

Notes for guidance in completing this form

[1] Insert the name of the occupier.

[2] Insert such description of the house as may be sufficient for identification.

[3] Insert the name of the local authority.

[4] Insert the number of days as specified in the order.

[5] The date to be inserted is either the date specified in the order by which the house was to be vacated, or 28 days from the service of this notice, whichever date may be the later.

FORM 49

Form of notice under section 157 of the Act to occupier to vacate an obstructive building in respect of which a demolition resolution has become operative.

THE HOUSING (SCOTLAND) ACT, 1950

To [1] ....., the occupier of the building known as [2].....

Take notice that—

(1) the [3]....., the local authority under the Housing (Scotland) Act, 1950, in exercise of the powers conferred upon them by section 46 of that Act, on the .....day of ....., 19...., passed a resolution (hereinafter called " the demolition resolution ") that—

(*a*) [4][the said building] [part of the said building comprising [5]..... .....] be demolished ; and

(*b*) for the purpose of demolition [4][the said building] [the aforesaid part of the said building] be vacated within two months from the date on which the demolition resolution becomes operative.

(2) the demolition resolution became operative on the..... day of ....., 19.... ; and

(3) in exercise of the powers conferred upon them by section 157 of the said Act, the local authority hereby require you to vacate [4][the said part of] the said building before the [6]..... day of ....., 19....

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

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

Notes
(*To be incorporated in the notice and any copies thereof.*)

Subsections (1), (2) and (4) of section 157 of the Housing (Scotland) Act, 1950, which provide *inter alia* for the recovery of possession of buildings subject to such a demolition resolution, are in the following terms:—

(*Here quote subsections* (1), (2) *and* (4) *of section* 157.)

Notes for guidance in completing this form

[1] Insert the name of the occupier.

[2] Insert such a description of the building as may be sufficient for identification.

[3] Insert the name of the local authority.

[4] Delete the words which are not applicable.

[5] If the resolution requires vacation and demolition of part of the building insert sufficient description of such part.

[6] The date to be inserted is either the date that was specified in the demolition resolution by which the building was to be vacated or 28 days from the service of this notice, whichever date may be the later.

FORM 50

[1]Form of notice under section 159 of the Act to be given by any person authorised by the local authority or the Secretary of State before entry for the purpose of survey and examination or valuation, or measuring of rooms.

THE HOUSING (SCOTLAND) ACT, 1950

To [2]......, the [3][owner] [occupier] of the [3][house] [building] [premises] [4].....

In accordance with the provisions of section 159 of the Housing (Scotland) Act, 1950, I [5]....., hereby give notice that I, being a person duly authorised in writing by the [6]..... intend, on the [7]..... day of ....., 19...., at any time between the hours of [8]..... in the forenoon and..... in the afternoon, to enter the above-mentioned [3][house] [building] [premises] for the purpose of [3][survey and examination] [survey] [valuation] [measuring the rooms to ascertain, for the purposes of Part IV of the said Act, the number of persons permitted to use the house for sleeping].

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

Signature .....
Description ..... } of person authorised to enter
Residence or place of business.....

Notes for guidance in completing this form

[1] Notice must be given to the occupier and also to the owner if the owner is known.

For methods of service of notice see section 349 of the Local Government (Scotland) Act, 1947.

[2] Insert the name and description, where known, of the occupier or owner.

[3] Delete the words which are not applicable.

[4] Insert such a description of the house, building or premises as may be sufficient for identification.

[5] Insert the name and description of the person authorised to enter.

[6] Insert the name of the local authority or the Secretary of State as the case may be.

[7] Twenty-four hours' notice must be given.

[8] Entry must be at reasonable times.

FORM 51

[1]Form of notice under section 168 of the Act to (1) the occupier of any premises, or (2) any person who, either directly or indirectly, receives rent in respect of any premises, requiring information regarding interests therein.

THE HOUSING (SCOTLAND) ACT, 1950

To [2].....
.....

Take notice that, in exercise of the powers conferred upon them by section 168 of the Housing (Scotland) Act, 1950, the [3]....., the local authority under the said Act, hereby require you, within two weeks from the date of this notice, to state in writing the nature of your interest in the premises [4]....., and the name and address of any other person known to you as having an interest therein, whether as holder of a heritable security, lessee or otherwise.

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

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

Notes

(To be incorporated in the notice and any copies thereof.)

Section 168 of the Housing (Scotland) Act, 1950 provides that a local authority may, for the purpose of enabling them to serve any notice which they are by that Act authorised or required to serve, require the occupier of any premises and any person who, either directly or indirectly, receives rent in respect of any premises to state in writing the nature of his own interest therein and the name and address of any other person known to him as having an interest therein whether as holder of a heritable security, lessee or otherwise, and that any person who, having been so required by a local authority to give such information, fails to give that information or knowingly makes any misstatement in respect thereof, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £5.

Notes for guidance in completing this form

[1] When Form 34 is appropriate, it, and not this form, should be used.
[2] Insert the name and residence or the place of business of the person to whom the notice is addressed.
[3] Insert the name of the local authority.
[4] Insert such description of the premises as may be sufficient for identification.

EXPLANATORY NOTE

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

These regulations prescribe the forms in which orders, notices, advertisements, statements and other documents should be made under the provisions of the Housing (Scotland) Act, 1950. This Act consolidated the Housing (Scotland) Acts, 1925 to 1949, under which the forms of such notices etc., were formerly prescribed.

The Housing (Rate of Interest on Repayment of Agricultural Building Grants) (Scotland) Regulations, 1951

1951 No. 1740 (S. 86)

Made - - - -	*27th September*, 1951
Laid before Parliament	*29th September*, 1951
Coming into Operation	*1st October*, 1951

In exercise of the powers conferred on me by subsection (5) of section 103 of the Housing (Scotland) Act, 1950(a) (hereinafter referred to as "the Act") and of all other powers enabling me in that behalf, I hereby, with the consent of the Treasury, make the following regulations :—

1.—(1) These regulations may be cited as the Housing (Rate of Interest on Repayment of Agricultural Building Grants) (Scotland) Regulations, 1951, and shall come into operation on the 1st day of October, 1951.

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

(a) 14 Geo. 6. c. 34. (b) 52 & 53 Vict. c. 63.