Status: Point in time view as at 30/06/2011.
Changes to legislation: Housing (Scotland) Act 1987, Paragraph 1 is up to date with all changes known to be in force on or before 05 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

S C H E D U L E S

SCHEDULE 12

TERMINATION OF EXCHEQUER PAYMENTS TO LOCAL AUTHORITIES AND CERTAIN PERIODICAL PAYMENTS TO OTHER PERSONS

1   (1) No payment shall be made—

  (a)   for the year 1979-80 or any subsequent year to a local authority under any of the enactments specified in Part I of the Table in paragraph 2;

  (b)   for the year 1978-79 or any subsequent year to—

    (i) the Scottish Special Housing Association under any of the enactments specified in Parts II or III of that Table;

    (ii) a development corporation under any of the enactments specified in Part II of that Table.

  (2) The right of a local authority to receive any payment under any of the enactments specified in Part I of that Table or section 105 of the Housing (Scotland) Act 1950 shall be extinguished unless an application has been made for the payment before 31st March 1980 or such later date as the Secretary of State may in exceptional circumstances allow.

  (3) Subject to the following provisions of this paragraph, where—

  (a)   information given to the Secretary of State on any such application as is mentioned in sub-paragraph (2) for a payment includes any particulars which are, and are stated to be, based on an estimate; and

  (b)   it appears to the Secretary of State—

    (i) that the estimate is reasonable, and

    (ii) that, assuming the estimate were correct, the information and other particulars given on the application are sufficient to enable him to determine the amount of the payment;

  the Secretary of State may accept the estimate and make a payment accordingly.

  (4) Any payment made in pursuance of sub-paragraph (3) so far as it is based on an estimate of the cost of land may be adjusted when the final cost of the land is ascertained.

  (5) Where any payment is made in pursuance of sub-paragraph (3), the recipient shall not be entitled to question the amount of the payment on a ground which means that the estimate was incorrect.

  (6) Where the Secretary of State is not satisfied that the estimate is reasonable, he may, if he thinks fits, accept the application and make a payment of such amount as appears to him reasonable.

  (7) No housing association grant under Part II of the [M1]Housing Associations Act 1985 shall be paid to a local authority, the Association or a development corporation in respect of any project completed after 31st March 1979.

2

Housing (Scotland) Act 1987 (c. 26)
SCHEDULE 12 – TERMINATION OF EXCHEQUER PAYMENTS TO LOCAL AUTHORITIES AND
CERTAIN PERIODICAL PAYMENTS TO OTHER PERSONS
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(8) No payment shall be made for the year 1979-80 or any subsequent year under—

(a) section 27(1) of the [M2]Housing (Scotland) Act 1949, section 89(1) of the [M3]Housing (Scotland) Act 1950 or section 21(1) of the 1968 Act (exchequer contributions for hostels); or

(b) section 33 of the Housing Act 1974 or section 55 of the Housing Associations Act 1985 (hostel deficit grants),

to a local authority, the Association or a development corporation.

Marginal Citations

M1   1985 c. 69.
M2   1949 c. 61.
M3   1950 c. 34.

Status:
Point in time view as at 30/06/2011.

Changes to legislation:
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