



Housing Act 1964

1964 CHAPTER 56

PART II

COMPULSORY IMPROVEMENT OF DWELLINGS TO PROVIDE STANDARD AMENITIES

Relations between lessors and lessees

38 Adjustment of relations between lessors and lessees of agricultural holdings, etc., in Scotland

- (1) Section 8 of the Agricultural Holdings (Scotland) Act 1949 (increases of rent for improvements carried out by landlord) shall apply as if references in subsection (1) of that section to improvements carried out at the request of the tenant included references to improvements carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act:

Provided that where the tenant has contributed to the cost incurred by the landlord in carrying out the improvement, the increase in rent provided for by the said section 8 shall be reduced proportionately.

- (2) Any works carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act shall be included among the improvements specified in paragraph 18 of Schedule 1 to the Agricultural Holdings (Scotland) Act 1949 (tenant's right to compensation for erection, alteration or enlargement of buildings), but subject to the power conferred by section 79 of that Act to vary the said Schedule 1; and sections 51 and 52 of that Act (which make that right to compensation subject to certain conditions) shall not apply to any works carried out in compliance with such a notice or undertaking:

Provided that where a person other than the tenant claiming compensation has contributed to the cost of carrying out the works in compliance with any such notice or undertaking, compensation in respect of the works, as assessed under section 49 of the said Act of 1949, shall be reduced proportionately.

*Status: This is the original version (as it was originally enacted). This
item of legislation is currently only available in its original format.*

(3) Any works carried out in compliance with an immediate improvement notice or a final improvement notice or an undertaking accepted under this Part of this Act shall—

- (a) if carried out on a croft within the meaning of the Crofters (Scotland) Act 1955, be permanent improvements on that croft and be deemed to be suitable to the croft for the purposes of section 14(1)(a) of the said Act of 1955 (crofter's right to compensation for improvements),
- (b) if carried out on a holding within the meaning of the Small Landholders (Scotland) Acts 1886 to 1931, be permanent improvements on that holding and be deemed to be suitable to the holding for the purposes of section 8(a) of the Crofters Holdings (Scotland) Act 1886 (landholder's right to compensation for improvements),

and accordingly, after paragraph 1 of Schedule 5 to the said Act of 1955, and after paragraph 1 of the Schedule to the said Act of 1886 (both of which Schedules relate to permanent improvements), there shall be inserted the following paragraph—

“(1A) Works carried out in compliance with an immediate improvement notice or a final improvement notice served, or an undertaking accepted, under Part II of the Housing Act 1964”.