



Housing (Financial Provisions) (Scotland) Act 1972

1972 CHAPTER 46

PART VII

MISCELLANEOUS AND GENERAL

Miscellaneous

69 All payments under overspill agreements to be voluntary.

- (1) No payment shall be made by an exporting authority to a receiving authority under subsection (4)(b) of section 9 of the ^{M1}Housing and Town Development (Scotland) Act 1957 for the year 1972–73 or any subsequent year in pursuance of an overspill agreement; but such an agreement whether made before or after this Act comes into force, may provide with the consent of the Secretary of State, for such payment from the exporting authority to the receiving authority as may be specified in the agreement.
- (2) In consequence of subsection (1) above the said section 9 shall have effect for the year 1972-73 and subsequent years as if—
 - (a) subsection (4)(b) were omitted; and
 - (b) for subsection (5) there were substituted the following subsection—

“(5) An overspill agreement (whether entered into before or after this Act comes into force) may provide, with the consent of the Secretary of State, for the making by the exporting authority to the receiving authority of such payment as may be specified in the agreement.”.
- (3) Nothing in this section shall affect the continuance of any payment being made in pursuance of subsection (5) of the said section 9 immediately before this Act comes into force.
- (4) A receiving authority may abrogate an overspill agreement entered into before this Act comes into force if the Secretary of State is satisfied, on an application made to him

Changes to legislation: There are currently no known outstanding effects for the Housing (Financial Provisions) (Scotland) Act 1972, Section 69. (See end of Document for details)

by the receiving authority, that, if they were to implement the agreement, an unduly large burden would fall on the authority's housing revenue account.

Modifications etc. (not altering text)

- C1** The text of 69(2), Sch. 9 paras. 31(1)–(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Marginal Citations

- M1** 1957 c. 38.

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