

1974 No. 1562 (C.28)

HOUSING, ENGLAND AND WALES

HOUSING, SCOTLAND

The Housing Act 1974 (Commencement No. 2) Order 1974

Made - - - - 17th September 1974

The Secretary of State, in exercise of the powers conferred upon him by section 131(3) of the Housing Act 1974(a) and of all other powers enabling him in that behalf, hereby makes the following order:—

1.—(1) This order may be cited as the Housing Act 1974 (Commencement No. 2) Order 1974.

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

2. The provisions of the Housing Act 1974 specified in the Schedule to this order shall come into operation on 18th September 1974.

SCHEDULE

- Section 1.
Section 3(1), (2) and (6).
Sections 4 to 8.
Section 9 (except in so far as it relates to paragraphs (a) and (b) of subsection (1) and except subsections (5) and (6)).
Sections 10 to 12.
Sections 29 to 33.
Section 35.
Section 107.
Section 130(1) in so far as it relates to paragraphs 6, 10(2), 10(3), 10(4), 15, 16, 22, 23(1) to (4), 30, 31 and 32 of Schedule 13.
Section 130(4) in so far as it relates to the repeals specified in the Table below.
Schedule 1.
Paragraphs 6, 10(2), 10(3), 10(4), 15, 16, 22, 23(1) to (4), 30, 31 and 32 of Schedule 13.
Schedule 15 in so far as it relates to the repeals specified in the Table below.

(a) 1974 c. 44.

(b) 1889 c. 63.

TABLE
REPEALS

Chapter	Short Title	Extent of Repeal
1964 c. 56.	The Housing Act 1964.	In section 1, in subsection (1) the words from "whose general duty" to the end of the subsection and subsection (1A). Sections 3 and 4. Section 6. In section 8 subsections (6), (7) and (9). Section 9. In section 11(1) the words "section 3" and "section 6". In section 12, in subsection (1) the definition of "local authority" and subsection (2).
1968 c. 13.	The National Loans Act 1968.	In Schedule 1 the entries relating to subsections (1), (3) and (5) of section 9 of the Housing Act 1964.
1972 c. 47.	The Housing Finance Act 1972.	In section 77 subsections (1) and (3).

Anthony Crosland,
Secretary of State for the Environment.

17th September 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which applies to England, Scotland and Wales brings into operation on 18th September 1974 the following provisions of the Housing Act 1974 ("the Act of 1974"):

Section 1 and Schedule 1 which relate to the continuation of the Housing Corporation with extended functions and to the amendment of its constitution.

Section 3(1), (2) and (6) which relates to acquisition of land by agreement by the Housing Corporation.

Section 4 which relates to the powers of the Housing Corporation for the provision of dwellings or hostels and the clearance, management and development of land.

Section 5 which relates to the Housing Corporation's powers to dispose of land.

Sections 6 (acquisition of securities and control of subsidiaries), 7 (borrowing powers), 8 (Treasury guarantees), which relate to the functions of the Housing Corporation.

Section 9 (except in relation to paragraphs (a) and (b) of subsection (1) and except subsections (5) and (6)) which relates to the powers of the Housing Corporation to make loans to its subsidiaries and other bodies in which it holds an interest.

Section 10 which relates to miscellaneous financial provisions in connection with the functions of the Housing Corporation.

Section 11 which provides for the exclusion of certain disposals of land by the Housing Corporation and certain housing associations from tax on chargeable gains.

Section 12 which relates to interpretation of Part I of the Act of 1974.

Sections 29 and 30 which relate to the approval and payment of housing association grant.

Section 31 which relates to management grants for certain housing associations.

Section 32 which relates to revenue deficit grants for registered housing associations.

Section 33 which relates to hostel deficit grants.

Section 35 which provides for transition from existing subsidies and grants for housing associations to housing association grants.

Section 107 which relates to grants in respect of hostels provided by housing authorities in Scotland.

Section 130(1) and paragraphs 6, 10(2) to (4), 15, 16, 22, 23(1) to (4), 30, 31 and 32 of Schedule 13, which relate to minor and consequential amendments to provisions of existing statutes in relation to housing associations and to housing authorities in Scotland.

Section 130(4) and Schedule 15 in relation to the repeal of certain provisions of Part I of the Housing Act 1964 and of connected provisions of the National Loans Act 1968 and the Housing Finance Act 1972.

SI 1974/1562
ISBN 0-11-041562-0



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