

*Changes to legislation: Housing (Wales) Act 2014, Cross Heading: Housing Act 1996 is up to date with all changes known to be in force on or before 14 August 2019. 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) View outstanding changes*

## SCHEDULE 3

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART 1

#### HOMELESSNESS

##### *Housing Act 1996*

2 The Housing Act 1996 is amended as follows.

##### Commencement Information

**11** Sch. 3 para. 2 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

3 In section 167 (allocation of housing accommodation in accordance with allocation scheme: Wales)—

(a) in subsection (2)—

(i) in paragraph (a), for “(within the meaning of Part 7)” substitute “(within the meaning of Part 2 of the Housing (Wales) Act 2014)”;

(ii) for paragraph (b) substitute—

“(b) people who are owed any duty by a local housing authority under section 66, 73 or 75 of the Housing (Wales) Act 2014;”

(b) in subsection (2ZA), for “Part 7” substitute “Part 2 of the Housing (Wales) Act 2014”;

(c) in subsection (2A)(c), for “section 199” substitute “section 81 of the Housing (Wales) Act 2014”.

##### Commencement Information

**12** Sch. 3 para. 3 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

4 In the Part title of Part 7 (homelessness), after “Homelessness” insert “: England”.

##### Commencement Information

**13** Sch. 3 para. 4 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

5 In subsection (1) of section 179 (duty of local housing authority to provide advisory services), after “local housing authority” insert “ in England ”.

##### Commencement Information

**14** Sch. 3 para. 5 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

6 In subsection (1) of section 180 (assistance for voluntary organisations), after “local housing authority” insert “ in England ”.

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**Commencement Information**

**I5** Sch. 3 para. 6 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 7 In subsection (1) of section 182 (guidance by the Secretary of State), after “social services authority” insert “ in England ”.

**Commencement Information**

**I6** Sch. 3 para. 7 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 8 In subsection (1) of section 183 (application for assistance), after “local housing authority” insert “ in England ”.

**Commencement Information**

**I7** Sch. 3 para. 8 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 9 In subsection (1) of section 187 (provision of information by Secretary of State), after “local housing authority” insert “ in England ”.

**Commencement Information**

**I8** Sch. 3 para. 9 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 10 In section 193 (duty to persons with priority need who are not homeless intentionally)—
- (a) in subsection (10), for “appropriate authority” substitute “ Secretary of State ”;
  - (b) omit subsection (12).

**Commencement Information**

**I9** Sch. 3 para. 10 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 11 In section 198 (referral of case to another local housing authority)—
- (a) after subsection (4) insert—
    - “(4A) Subsection (4) is to be construed, in a case where the other authority is an authority in Wales, as if the reference to “this Part” were a reference to Part 2 of the Housing (Wales) Act 2014.”
  - (b) in subsection (5), after “case” insert “ which does not involve a referral to a local housing authority in Wales ”;
  - (c) after that subsection, insert—
    - “(5A) The question whether the conditions for referral of a case involving a referral to a local housing authority in Wales shall be decided by agreement between the notifying authority and the notified authority or, in default of agreement, in accordance with such arrangements as the Secretary of State and the Welsh Ministers may jointly direct by order.”;

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- (d) in subsection (6)(b), after “Secretary of State” insert “ or, in the case of an order under subsection (5A), to the Secretary of State and the Welsh Ministers ”;
- (e) in subsection (7)—
  - (i) for “No such order shall” substitute “ An order under this section shall not ”; and
  - (ii) at the end, insert “ and, in the case of a joint order, a resolution of the National Assembly for Wales ”.

#### Commencement Information

**I10** Sch. 3 para. 11 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 12 In subsection (4) of section 200 (duties to applicant whose case is considered for referral or referred)—
- (a) after “met” insert “ and the notified authority is not an authority in Wales ”, and
  - (b) at the end, insert “ ; for provision about cases where it is decided that those conditions are met and the notified authority is an authority in Wales, see section 83 of the Housing (Wales) Act 2014 (cases referred from a local housing authority in England) ”.

#### Commencement Information

**I11** Sch. 3 para. 12 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

- 13 After section 201 (application of referral provisions to cases arising in Scotland) insert—

#### “201A Cases referred from a local housing authority in Wales

- (1) This section applies where an application has been referred by a local housing authority in Wales to a local housing authority in England under section 80 of the Housing (Wales) Act 2014 (referral of case to another local housing authority).
- (2) If it is decided that the conditions in that section for referral of the case are met, the notified authority are subject to the duty under section 193 of this Act in respect of the person whose case is referred (the main housing duty); for provision about cases where it is decided that the conditions for referral are not met, see section 82 of the Housing (Wales) Act 2014 (duties to applicant whose case is considered for referral or referred).
- (3) References in this Part to an applicant include a reference to a person to whom a duty is owed by virtue of subsection (2).”

#### Commencement Information

**I12** Sch. 3 para. 13 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

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- 14 In subsection (1) of section 213 (co-operation between relevant housing authorities and bodies), after “local housing authority” insert “ in England ”.

**Commencement Information**

**I13** Sch. 3 para. 14 in force at 27.4.2015 by S.I. 2015/1272, art. 2, Sch. para. 53 (with art. 7)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 41(2A) inserted by [2019 anaw 2 s. 21](#)