



2020 CHAPTER 5

Transfer of land of registered housing associations

4.—(1) Article 26 of the 1992 Order (transfer of land of registered housing associations) is amended as follows.

(2) For paragraph (1) substitute—

“(1) This Article applies where the Department is satisfied, as the result of an inquiry under Article 23 or an audit under Article 24, that the three conditions set out in paragraphs (1A) to (1C) are met.

(1A) The first condition is that a registered housing association has failed, or is failing, to comply with—

- (a) a duty imposed by this Order or by any other statutory provision, or
- (b) a requirement imposed on the association by the Department under this Order or any other statutory provision,

relating to its housing activities or its financial or other affairs.

(1B) The second condition is that it is desirable for the purpose of—

- (a) protecting the interests of tenants of the association, or
- (b) protecting the assets of the association,

that the land belonging to the association, or any part of that land, should be transferred in accordance with this Article.

(1C) The third condition is that the association is unwilling to take that action.

(1D) The Department may make a direction that—

- (a) identifies the land, or such part of it as the Department may determine, and

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- (b) requires the association to transfer the land so identified to another body in accordance with paragraph (2).”.
- (3) In paragraph (2)—
 - (a) for “paragraph (1)” substitute “paragraph (1D)”;
 - (b) for “the land belonging to it” substitute “the land identified in the direction”.
- (4) In paragraph (3)—
 - (a) for “paragraph (1)” substitute “paragraph (1D)”;
 - (b) for “the land” substitute “the identified land”.
- (5) In paragraph (4), for “paragraph (1)” substitute “paragraph (1D)”.