Housing Act 1988

1988 CHAPTER 50

PART II

HOUSING ASSOCIATIONS

Grants[F1]...

Textual Amendments

F1 Words in s. 50 cross-heading repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 45, **Sch. 16**; S.I. 2010/862, arts. 2, 3 (with Sch.)

[F2]50 Housing association grants. E+W

. . . . . .

Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F2 S. 50 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 46, **Sch. 16**; S.I. 2010/862, arts. 2, 3 (with Sch.)

Modifications etc. (not altering text)

C1 S. 50 restricted (E.W.) (1.4.1997) by 1996 c. 52, **ss. 28(1)**, 251(4)(b) (with s. 51(4)); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)
S. 50 amended (E.W.) (1.4.1997) by 1996 c. 52, **ss. 28(6)**, 251(4)(b) (with s. 51(4)); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)

C2 S. 50 functions transferred (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), **2**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

C3 S. 50 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 4**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

[F2]50 Housing association grants. S

. . . . . .

Extent Information

E5 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F2 S. 50 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 46, **Sch. 16**; S.I. 2010/862, arts. 2, 3 (with Sch.)

[F3]51 Revenue deficit grants. E+W

. . . . . .

Extent Information

E2 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F3 S. 51 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 46, **Sch. 16**; S.I. 2010/862, arts. 2, 3 (with Sch.)

Modifications etc. (not altering text)

C4 S. 51 restricted (1.4.1997) by 1996 c. 52, **ss. 28(2)**, 251(4)(b), (with s. 51(4)); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)
S. 51 amended (1.4.1997) by 1996 c. 52, **ss. 28(6)**, 251(4)(b); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)

C5 S. 51 functions transferred (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), **2**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

C6 S. 51 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 4**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

[F3]51 Revenue deficit grants. S

. . . . . .

Changes to legislation: *Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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*

Extent Information

E6 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F3 S. 51 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), Sch. 8 para. 46, **Sch. 16**; S.I. 2010/862, arts. 2, 3 (with Sch.)

52 Recovery etc. of grants. E+W

(1) Where a grant to which this section applies, that is to say—

(a) a grant under section 50 or 51 above, or

(b) a grant under section 41 of the 1985 Act or any enactment replaced by that section, or

(c) a grant under section 2(2) of the [M1]Housing (Scotland) Act 1988,

has been made to a **[**[F4]relevant housing association**]**, the powers conferred by subsection (2) below are exercisable in such events (including the association not complying with any conditions) as the **[**[F5]appropriate authority**]** may from time to time determine (in this section referred to as "relevant events").

(2) The **[**[F5]appropriate authority**]**. . . may—

(a) reduce the amount of, or of any payment in respect of, the grant;

(b) suspend or cancel any instalment of the grant; or

(c) direct the association **[**[F6]to apply or appropriate for such purposes as the **[**[F5]appropriate authority**]** may specify, or to pay to the **[**[F5]appropriate authority**]]** an amount equal to the whole, or such proportion as it may specify, of the amount of any payment made to the association in respect of the grant,

and a direction under paragraph (c) above **[**[F7]may require the application, appropriation or payment of an amount with interest**]** in accordance with subsections (7) to (9) below.

(3) Where, after a grant to which this section applies has been made to an association, a relevant event occurs, the association shall notify the **[**[F5]appropriate authority**]** and, if so required by written notice of the **[**[F5]appropriate authority**]**, shall furnish it with such particulars of and information relating to the event as are specified in the notice.

(4) Where a grant to which this section applies (other than one falling within subsection (1)(c) above) has been made to an association, the Chief Land Registrar may furnish the **[**[F5]appropriate authority**]** with such particulars and information as it may reasonably require for the purpose of ascertaining whether a relevant event has occurred; but this subsection shall cease to have effect on the day appointed under section 3(2) of the [M2]Land Registration Act 1988 for the coming into force of that Act.

(5) Where—

(a) a grant to which this section applies has been made to an association, and

(b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, some other **[**[F8]relevant housing association**]**, or trustees for some other such association,

this section (including this subsection) shall have effect after that time as if the grant, or such proportion of it as is specified or determined under subsection (6) below, had been made to that other association.

Changes to legislation: *Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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*

(6) The proportion referred to in subsection (5) above is that which, in the circumstances of the particular case,—

(a) the **[**[F5]appropriate authority**]**, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate; or

(b) the **[**[F5]appropriate authority**]** may determine to be appropriate.

(7) A direction under subsection (2)(c) above **[**[F9]requiring the application, appropriation or payment of an amount with interest**]** shall specify, in accordance with subsection (9) below,—

(a) the rate or rates of interest (whether fixed or variable) which is or are applicable;

(b) the date from which interest is payable, being not earlier than the date of the relevant event; and

(c) any provision for suspended or reduced interest which is applicable.

(8) In subsection (7)(c) above—

(a) the reference to a provision for suspended interest is a reference to a provision whereby, if **[**[F10]the principle amount is applied, appropriated or paid**]** before a date specified in the direction, no interest will be payable for any period after the date of the direction; and

(b) the reference to a provision for reduced interest is a reference to a provision whereby, if **[**[F11]the principle amount is so applied, appropriated or paid**]**, any interest payable will be payable at a rate or rates lower than the rate or rates which would otherwise be applicable.

(9) The matters specified in a direction as mentioned in paragraphs (a) to (c) of subsection (7) above shall be either—

(a) such as the **[**[F5]appropriate authority**]**, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or

(b) such as the **[**[F5]appropriate authority**]** may determine to be appropriate in the particular case.

[[F12](9A) In this section and sections 53 and 54—

"the appropriate authority"—

(a) in relation to an English relevant housing association **[**[F13]and property outside Greater London**]**, means the Homes and Communities Agency,

(aa) **[**[F14]in relation to an English relevant housing association and property in Greater London, means the Greater London Authority, and**]**

(b) in relation to a Welsh relevant housing association, means the Welsh Ministers,

" relevant housing association " means—

(a) a housing association which is a registered provider of social housing ("an English relevant housing association"), and

(b) a housing association which is a registered social landlord ("a Welsh relevant housing association").

(9B) In this section a reference to registration as a provider of social housing, so far as the context permits, is to be construed as including, in relation to times, circumstances and purposes before the commencement of section 111 of the Housing and Regeneration Act 2008, a reference to registration under—

(a) Part 1 of the Housing Act 1996,

(b) Part 1 of the 1985 Act, or
(c) any corresponding earlier enactment.**]**

Extent Information

E3 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F4 Words in s. 52(1) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 47(3)**; S.I. 2010/862, art. 2 (with Sch.)

F5 Words in s. 52 substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 47(2)**; S.I. 2010/862, art. 2 (with Sch.)

F6 Words in s. 52(2)(c) substituted (E.W.) (1.10.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 28(3)(a)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2402, **art. 5**; S.I. 1997/618, **art. 2** (subject to transitional provisions in Sch.)

F7 Words in s. 52(2) substituted (E.W.) (1.10.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 28(3)(b)**, 231(4)(b); S.I. 1996/2402, **art. 5**; S.I. 1997/618, **art. 2** (subject to transitional provisions in Sch.)

F8 Words in s. 52(5)(b) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 47(3)**; S.I. 2010/862, art. 2 (with Sch.)

F9 Words in s. 52(7) substituted (E.W.) (1.10.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 28(3)(c)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2402, **art. 5**; S.I. 1997/618, **art. 2** (subject to transitional provisions in Sch.)

F10 Words in s. 52(8)(a) substituted (E.W.) (1.10.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 28(3)(d)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2402, **art. 5**; S.I. 1997/618, **art. 2** (subject to transitional provisions in Sch.)

F11 Words in s. 52(8)(b) substituted (E.W.) (1.10.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 28(3)(e)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2402, **art. 5**; S.I. 1997/618, **art. 2** (subject to transitional provisions in Sch.)

F12 S. 52(9A)(9B) inserted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 47(4)**; S.I. 2010/862, art. 2 (with Sch.)

F13 Words in s. 52(9A) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 28(a)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)

F14 Words in s. 52(9A) substituted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 28(b)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)

Modifications etc. (not altering text)

C7 S. 52 excluded (E.W.) (1.8.1996 for specified purposes, otherwise 1.4.1997) by 1996 c. 52, **ss. 24(7)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2048, **art. 3**; S.I. 1996/618, **art. 2** (subject to transitional provisions in Sch.)

C8 Ss. 50-55 amended (1.4.1997) by 1996 c. 52, **s. 28(6)** (with s. 51(4)); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)

C9 S. 52 functions transferred (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), **2**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

C10 S. 52 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 4**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

C11 S. 52 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 3(10)**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

Changes to legislation: *Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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*

C12 S. 52 excluded (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), **ss. 177(8)**, 325(1) (with s. 189); S.I. 2010/862, art. 2 (with Sch.)

Marginal Citations

M1 1988 c. 43.

M2 1988 c. 3.

52 Recovery etc. of grants. S

(1) Where a grant to which this section applies, that is to say—

(a) a grant under section 50 or 51 above, or

(b) a grant under section 41 of the 1985 Act or any enactment replaced by that section, or

(c) a grant under section 2(2) of the [M3]Housing (Scotland) Act 1988,

has been made to a registered **[**[F21]social landlord**]**, the powers conferred by subsection (2) below are exercisable in such events (including the association not complying with any conditions) as the Corporation may from time to time determine (in this section referred to as "relevant events").

(2) The Corporation, acting in accordance with such principles as it may from time to time determine, may—

(a) reduce the amount of, or of any payment in respect of, the grant;

(b) suspend or cancel any instalment of the grant; or

(c) direct the **[**[F22]landlord**]** to pay to it an amount equal to the whole, or such proportion as it may specify, of the amount of any payment made to the **[**[F22]landlord**]** in respect of the grant,

and a direction under paragraph (c) above requiring the payment of any interest on that amount in accordance with subsections (7) to (9) below.

(3) Where, after a grant to which this section applies has been made to **[**[F23]a registered social landlord**]**, a relevant event occurs, the **[**[F23]landlord**]** shall notify the Corporation and, if so required by written notice of the Corporation, shall furnish it with such particulars of and information relating to the event as are specified in the notice.

(4) Where a grant to which this section applies (other than one falling within subsection (1)(c) above) has been made to **[**[F23]a registered social landlord**]** , the Chief Land Registrar may furnish the Corporation with such particulars and information as it may reasonably require for the purpose of ascertaining whether a relevant event has occurred; but this subsection shall cease to have effect on the day appointed under section 3(2) of the [M4]Land Registration Act 1988 for the coming into force of that Act.

(5) Where—

(a) a grant to which this section applies has been made to **[**[F24]a registered social landlord**]**, and

(b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, some other registered **[**[F24]social landlord**]**, or trustees for some other such **[**[F24]landlord**]**,

this section (including this subsection) shall have effect after that time as if the grant, or such proportion of it as is specified or determined under subsection (6) below, had been made to that other **[**[F24]landlord**]**.

Changes to legislation: *Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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*

(6) The proportion referred to in subsection (5) above is that which, in the circumstances of the particular case,—

(a) the Corporation, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate; or

(b) the Corporation may determine to be appropriate.

(7) A direction under subsection (2)(c) above requiring the payment of interest on the amount directed to be paid to the Corporation shall specify, in accordance with subsection (9) below,—

(a) the rate or rates of interest (whether fixed or variable) which is or are applicable;

(b) the date from which interest is payable, being not earlier than the date of the relevant event; and

(c) any provision for suspended or reduced interest which is applicable.

(8) In subsection (7)(c) above—

(a) the reference to a provision for suspended interest is a reference to a provision whereby, if the amount which is directed to be paid to the Corporation is paid before a date specified in the direction, no interest will be payable for any period after the date of the direction; and

(b) the reference to a provision for reduced interest is a reference to a provision whereby, if that amount is so paid, any interest payable will be payable at a rate or rates lower than the rate or rates which would otherwise be applicable.

(9) The matters specified in a direction as mentioned in paragraphs (a) to (c) of subsection (7) above shall be either—

(a) such as the Corporation, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or

(b) such as the Corporation may determine to be appropriate in the particular case.

[[F12](9A) In this section and sections 53 and 54—

"the appropriate authority"—

(a) in relation to an English relevant housing association**[**[F13]and property outside Greater London**]**, means the Homes and Communities Agency,

(aa) **[**[F14]in relation to an English relevant housing association and property in Greater London, means the Greater London Authority, and**]**

(b) in relation to a Welsh relevant housing association, means the Welsh Ministers,

" relevant housing association " means—

(a) a housing association which is a registered provider of social housing ("an English relevant housing association"), and

(b) a housing association which is a registered social landlord ("a Welsh relevant housing association").

(9B) In this section a reference to registration as a provider of social housing, so far as the context permits, is to be construed as including, in relation to times, circumstances and purposes before the commencement of section 111 of the Housing and Regeneration Act 2008, a reference to registration under—

(a) Part 1 of the Housing Act 1996,

(b) Part 1 of the 1985 Act, or

(c) any corresponding earlier enactment.**]**

[[F25](10) In this section and section 53, "registered social landlord" has the same meaning as in the **[**[F26]Housing (Scotland) Act 2010 (asp 17).**]]**

Extent Information

E7 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F12 S. 52(9A)(9B) inserted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 47(4)**; S.I. 2010/862, art. 2 (with Sch.)

F13 Words in s. 52(9A) inserted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 28(a)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)

F14 Words in s. 52(9A) substituted (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), **Sch. 19 para. 28(b)**; S.I. 2012/628, art. 6(i) (with arts. 911141517)

F21 Words in s. 52(1) substituted (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(3)(a)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F22 Words in s. 52(2)(c) substituted (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(3)(b)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F23 Words in S. 52(3)(4) substituted (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para 15(3)(c)(d)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F24 Words in s. 52(5) substituted (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(3)(e)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F25 S. 52(10) inserted (S.) (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(3)(f)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F26 Words in s. 52(10) substituted (S.) (1.4.2012) by Housing (Scotland) Act 2010 (asp 17), s. 166(2), **sch. 2 para. 5**; S.S.I. 2012/39, art. 2, sch. 1 (with sch. 2) (as amended (1.4.2012) by S.S.I. 2012/91, art. 4)

Modifications etc. (not altering text)

C12 S. 52 excluded (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), **ss. 177(8)**, 325(1) (with s. 189); S.I. 2010/862, art. 2 (with Sch.)

Marginal Citations

M3 1988 c. 43.

M4 1988 c. 3.

53 Determinations under Part II. E+W

(1) A general determination may either—

(a) make the same provision for all cases; or

(b) make different provision for different cases or descriptions of cases, including different provision for different areas or for different descriptions of housing associations or housing activities;

and for the purposes of this subsection descriptions may be framed by reference to any matters whatever, including in particular, in the case of housing activities, the manner in which they are financed.

[[F15](2) The **[**[F16]**[**[F17]Homes and Communities Agency**]]** shall not make a general determination under the foregoing provisions of this Part except with the approval of the Secretary of State**]**

Changes to legislation: *Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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*

(3) Before making a general determination, the **[**[F18]**[**[F19]appropriate authority**]]** shall consult such bodies appearing to it to be representative of housing associations as it considers appropriate; and after making such a determination, the **[**[F18]**[**[F19]appropriate authority**]]** shall publish the determination in such manner as it considers appropriate for bringing the determination to the notice of the associations concerned.

(4) In this section "general determination" means a determination under **[**[F20]section**]** 52 above, other than a determination relating solely to a particular case.

Extent Information

E4 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

Textual Amendments

F15 S. 53(2) substituted (1.8.1996) by 1996 c. 52, **ss. 28(4)**, 231(4)(b) (with s. 51(4)); S.I. 1996/2048, **art. 2**

F16 Words in s. 53(2) substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 65** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**

F17 Words in s. 53(2) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 48(2)**; S.I. 2010/862, art. 2 (with Sch.)

F18 Words in s. 53 substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 61(1)(2)** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 5**

F19 Words in s. 53(3) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 48(3)**; S.I. 2010/862, art. 2 (with Sch.)

F20 Words in s. 53(4) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 48(4)**; S.I. 2010/862, art. 2 (with Sch.)

Modifications etc. (not altering text)

C13 S. 53 applied by section 87 of the Housing Associations Act 1985 (c. 69, SIF 61), as substituted by Local Government and Housing Act 1989 (c.42, SIF 61), **s. 183**

C14 Ss. 50-55 amended (1.4.1997) by 1996 c. 52, **ss. 28(6)**, 231(4)(b) (with s. 51(4)); S.I. 1997/618, **art. 2** (subject to transitional provisions and savings in Sch.)

C15 S. 53 functions transferred (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), **2**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

C16 S. 53 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, **Sch. para. 4**; S.I. 2008/3068, **art. 2(1)(b)** (with arts. 6-12)

53 Determinations under Part II. S

(1) A general determination may either—

(a) make the same provision for all cases; or

(b) make different provision for different cases or descriptions of cases, including different provision for different areas or for different descriptions of **[**[F27]registered social landlords**]** or housing activities;

and for the purposes of this subsection descriptions may be framed by reference to any matters whatever, including in particular, in the case of housing activities, the manner in which they are financed.

(2) The Corporation shall not make a determination under the foregoing provisions of this Part except with the approval of the Secretary of State given, in the case of a general determination, with the consent of the Treasury.

(3) Before making a general determination, the Corporation shall consult such bodies appearing to it to be representative of **[**[F28]registered social landlords**]** as it considers appropriate; and after making such a determination, the Corporation shall publish the determination in such manner as it considers appropriate for bringing the determination to the notice of the **[**[F28]landlords**]** concerned.

(4) In this section "general determination" means a determination under **[**[F20]section**]** 52 above, other than a determination relating solely to a particular case.

Extent Information

E8 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

Textual Amendments

F20 Words in s. 53(4) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), s. 325(1), **Sch. 8 para. 48(4)**; S.I. 2010/862, art. 2 (with Sch.)

F27 Words in s. 53(1)(b) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(4)(a)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

F28 Words in s. 53(3) substituted (1.11.2001) by 2001 asp 10, s. 112, **Sch. 10 para. 15(4)(b)**; S.S.I. 2001/397, art. 2(2), **Sch.** Table (subject to transitional provisions and savings in arts. 3-6)

Modifications etc. (not altering text)

C17 S. 53 applied by section 87 of the Housing Associations Act 1985 (c. 69, SIF 61), as substituted by Local Government and Housing Act 1989 (c.42, SIF 61), **s. 183**

Changes to legislation:
Housing Act 1988, Cross Heading: Grants... is up to date with all changes known to be in force on or before 04 October 2024. 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.
View outstanding changes

Changes and effects yet to be applied to :

– specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by S.I. 2019/110 reg. 5

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

– Act savings and transitional provisions for amendments by S.I. 2022/1166 by S.I. 2022/1172 Regulations