



Housing Act 1988

1988 CHAPTER 50

PART V

MISCELLANEOUS AND GENERAL

Disposals of housing stock

132 Consents to disposals of housing stock and application of receipts.

- (1) At the end of subsection (4) of section 34 of the ^{M1}Housing Act 1985 (consent to disposals of land held for the purposes of Part II—provision of housing accommodation) and at the end of subsection (4) of section 43 of that Act (consent for certain disposals of other houses) there shall be inserted the subsections set out in subsection (2) below.
- (2) The subsections referred to in subsection (1) above and subsection (3) below are as follows—
 - “(4A) The matters to which the Secretary of State may have regard in determining whether to give consent and, if so, to what conditions consent should be subject shall include—
 - (a) the extent (if any) to which the person to whom the proposed disposal is to be made (in this subsection referred to as “the intending purchaser”) is, or is likely to be, dependent upon, controlled by or subject to influence from the local authority making the disposal or any members or officers of that authority;
 - (b) the extent (if any) to which the proposed disposal would result in the intending purchaser becoming the predominant or a substantial owner in any area of housing accommodation let on tenancies or subject to licences;
 - (c) the terms of the proposed disposal; and
 - (d) any other matters whatsoever which he considers relevant.

Changes to legislation: Housing Act 1988, Section 132 is up to date with all changes known to be in force on or before 16 January 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

(4B) Where the Secretary of State gives consent to a disposal by a local authority, he may give directions as to the purpose for which any capital money received by the authority in respect of the disposal is to be applied and, where any such directions are given, nothing in any enactment shall require his consent to be given for the application of the capital money concerned in accordance with the directions.”

(3) Section 13 of the ^{M2}Housing (Scotland) Act 1987 (power of Secretary of State to impose conditions in sale of local authority houses) shall be renumbered as subsection (1) of that section and after that subsection there shall be inserted as subsections (2) and (3) the subsections which are set out in subsection (2) above and there numbered (4A) and (4B).

(4) ^{F1}

(6) In section 208 of the Housing (Scotland) Act 1987 (application of receipts from disposal of certain land), in subsection (2) there shall be inserted at the end the words “or has made directions under section 13(3)”.

(7) In section 26 of the ^{M3}Local Government Act 1988 (provisions as to consents under section 25 for provision of financial assistance etc.), in subsection (5) (which excludes consent under various enactments where consent is given to a disposal of land under section 25) after the words “such a consent” there shall be inserted “then, if the consent given for the purposes of section 25 above so provides”.

(8) This section shall be deemed to have come into force on 9th June 1988.

Textual Amendments	
F1	Ss. 132(4)(5), 136 repealed by Local Government and Housing Act 1989 (c. 42, SIF 61) ,s. 194(2), Sch. 12 Pt. I
Marginal Citations	
M1	1985 c. 68.
M2	1987 c. 26.
M3	1988 c. 9.

Changes to legislation:

Housing Act 1988, Section 132 is up to date with all changes known to be in force on or before 16 January 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](#)