



Housing Act 1988

1988 CHAPTER 50

PART II

HOUSING ASSOCIATIONS

Grants^{F1}...

53 Determinations under Part II. **E+W**

- (1) A general determination may either—
- make the same provision for all cases; or
 - 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.

- ^{F2}(2) The [^{F3}[^{F4}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]
- (3) Before making a general determination, the [^{F5}[^{F6}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 [^{F5}[^{F6}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 [^{F7}section] 52 above, other than a determination relating solely to a particular case.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent

Changes to legislation: Housing Act 1988, Section 53 is up to date with all changes known to be in force on or before 18 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

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. 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**
- F3** 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**
- F4** 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.)
- F5** 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**
- F6** 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.)
- F7** 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)

- C1** 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**
- C2** 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.)
- C3** 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)
- C4** 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 [F8 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 [F9 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 [F9 landlords] concerned.

Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W - England and Wales extent S - Scotland extent
Changes to legislation: Housing Act 1988, Section 53 is up to date with all changes known to be in force on or before 18 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

(4) In this section “general determination” means a determination under [^{F7}section] 52 above, other than a determination relating solely to a particular case.

Extent Information

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

Textual Amendments

- F7** 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.)
- F8** 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)
- F9** 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)
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Modifications etc. (not altering text)

C5 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](#)

Status:

There are multiple versions of this provision on screen. These apply to different geographical extents.

Skip to:

- E+W - England and Wales extent
- S - Scotland extent

Changes to legislation:

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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](#)