



Housing Act 1988

1988 CHAPTER 50

PART III

HOUSING ACTION TRUST AREAS

Functions

68 Public health.

- (1) The Secretary of State may by order provide that, in relation to premises comprising or consisting of housing accommodation, a housing action trust shall have in its designated area (or in such part of its designated area as may be specified in the order) the functions conferred on a local authority—
 - (a) by sections 83 and 84 of the ^{M1}Public Health Act 1936 (the “1936 Act”) and section 36 of the ^{M2}Public Health Act 1961 (all of which relate to filthy or verminous premises or articles);
 - (b) by any enactment contained in Part III (nuisances and offensive trades) of the 1936 Act;
 - (c) by so much of Part XII of the 1936 Act as relates to any of the enactments mentioned in paragraphs (a) and (b) above; and
 - (d) by Part I of the ^{M3}Prevention of Damage by Pests Act 1949 (rats and mice).
- (2) On the order coming into force, the trust shall have the functions conferred in relation to the designated area (or part) instead of or concurrently with any such authority, depending on the terms of the order.
- (3) The order may provide that any enactment under which the trust is to exercise functions by virtue of the order shall have effect in relation to the trust and, where the trust is to have any function concurrently with another authority, in relation to that authority, as modified by the order.
- (4) Where an order under this section provides that a housing action trust shall have the functions conferred upon a local authority by Part III of the 1936 Act, section 36 of the ^{M4}Local Government Act 1974 (recovery by local authorities of establishment

Changes to legislation: Housing Act 1988, Section 68 is up to date with all changes known to be in force on or before 24 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

charges) shall apply to the housing action trust as if it were a local authority within the meaning of that section.

- (5) The order shall have effect subject to such savings and transitional and supplementary provisions as may be specified in the order.
- (6) The power to make an order under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Marginal Citations

- M1** 1936 c. 49.
M2 1961 c. 64.
M3 1949 c. 55.
M4 1974 c. 7.

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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](#)