



# Housing Act 1988

## 1988 CHAPTER 50

### PART III

#### HOUSING ACTION TRUST AREAS

##### *Vesting and acquisition of land*

#### **76 Vesting by order in housing action trust.**

- (1) Subject to subsections (2) and (3) below, the Secretary of State may by order provide that land specified in the order which is vested in statutory undertakers or any other public body or in a wholly-owned subsidiary of a public body shall vest in a housing action trust established or to be established for the designated area in which the land is situated.
  - (2) An order under this section may not specify land vested in statutory undertakers which is used for the purpose of carrying on their statutory undertakings or which is held for that purpose.
  - (3) In the case of land vested in statutory undertakers, the power to make an order under this section shall be exercisable by the Secretary of State and the appropriate Minister.
  - (4) Part I of Schedule 9 to this Act shall have effect for supplementing the preceding provisions of this section.
  - (5) An order under this section shall have the same effect as a declaration under the <sup>M1</sup>Compulsory Purchase (Vesting Declarations) Act 1981 except that, in relation to such an order, the enactments mentioned in Part II of Schedule 9 to this Act shall have effect subject to the modifications specified in that Part.
  - (6) Compensation under the <sup>M2</sup>Land Compensation Act 1961, as applied by subsection (5) above and Part II of Schedule 9 to this Act, shall be assessed by reference to values current on the date the order under this section comes into force.
- [(6A) No order shall be made under this section in relation to a universal service provider (within the meaning of [<sup>F1</sup>Part 3 of the Postal Services Act 2011]).]

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*Changes to legislation: Housing Act 1988, Section 76 is up to date with all changes known to be in force on or before 20 March 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*

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- (7) An order under this section shall be made by statutory instrument but no such order shall be made unless a draft of it has been laid before, and approved by a resolution of, each House of Parliament.

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**Textual Amendments**

- F1** Words in s. 76(6A) substituted (1.10.2011) by [Postal Services Act 2011 \(c. 5\), s. 93\(2\)\(3\), Sch. 12 para. 129](#); [S.I. 2011/2329, art. 3](#)

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**Modifications etc. (not altering text)**

- C1** S. 76(6A) inserted (26.3.2001) by [S.I. 2001/1149, art. 3\(1\), Sch. 1 para. 75\(2\)](#)

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**Marginal Citations**

- M1** 1981 c. 66.  
**M2** 1961 c. 33.

**Changes to legislation:**

Housing Act 1988, Section 76 is up to date with all changes known to be in force on or before 20 March 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.

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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](#)