

**Changes to legislation:** Government of Wales Act 1998, Cross Heading: The Housing Act 1996 (c.52) is up to date with all changes known to be in force on or before 01 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

## SCHEDULES

### SCHEDULE 16

#### HOUSING FOR WALES

##### Commencement Information

**II** Sch. 16 in force at 1.11.1998 by S.I. 1998/2244, art. 5

##### *The Housing Act 1996 (c.52)*

- 81 Part I of the Housing Act 1996 has effect subject to the following amendments.
- 82 (1) Subject to the following provisions, in each place (including headings and sidenotes) except in the phrase “Housing Corporation”—
- (a) for “Corporation” substitute “ Relevant Authority ”, and
  - (b) for “Corporation’s” substitute “ Relevant Authority’s ”.
- (2) Sub-paragraph (1) does not apply to Schedule 3.
- 83 (1) Section 1 (register of social landlords) is amended as follows.
- (2) In subsection (1), omit “at the head office of the Corporation”.
  - (3) <sup>F1</sup>.....
  - (4) Omit subsection (2).

##### Textual Amendments

**F1** Sch. 16 para. 83(3) repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), ss. 321(1), 325, Sch. 16; S.I. 2010/862, art. 3 (with transitional savings in Sch.)

- 84 (1) Section 9 (Corporation’s consent required for disposal of land by registered social landlord) is amended as follows.
- (2) In subsection (1), omit “, given by order under the seal of the Corporation,”.
  - (3) After that subsection insert—  
“(1A) The consent—
    - (a) if given by the Housing Corporation, shall be given by order under its seal, and
    - (b) if given by the Secretary of State, shall be given by order in writing.”
- 85 (1) Section 18 (social housing grants) is amended as follows.
- (2) For subsection (5) substitute—

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“(5) The appointment—

- (a) if made by the Housing Corporation, shall be on such terms as the Housing Corporation may, with the approval of the Secretary of State given with the consent of the Treasury, specify, and
  - (b) if made by the Secretary of State, shall be on such terms as the Secretary of State may, with the consent of the Treasury, specify;
- and, in either case, the authority shall act in accordance with those terms.”

(3) <sup>F2</sup> .....

**Textual Amendments**  
**F2** Sch. 16 para. 85(3) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 7, [Sch. 4](#) (with art. 6 Sch. 3)

86 For section 30(5) (notices requiring giving of information or production of documents) substitute—

“(5) A notice under this section—

- (a) if given by the Housing Corporation, shall be given under its seal, and
- (b) if given by the Secretary of State, shall be given in writing.”

87 For section 36(3) and (4) (issue of guidance about management of housing accommodation) substitute—

“(3) Before issuing any guidance under this section the Relevant Authority shall consult such bodies appearing to the Relevant Authority to be representative of registered social landlords as the Relevant Authority considers appropriate; and where the Relevant Authority issues guidance under this section it shall be issued in such manner as the Relevant Authority considers appropriate for bringing it to the notice of the landlords concerned.

(4) The Housing Corporation shall not issue guidance under this section unless—

- (a) it has been submitted in draft to the Secretary of State for his approval, and
- (b) the Secretary of State has given his approval to the draft.”

88 (1) Section 46 (appointment of manager to implement agreed proposals) is amended as follows.

(2) In subsections (1) and (6), omit “under its seal”.

(3) After subsection (6) insert—

“(7) An order under this section—

- (a) if made by the Housing Corporation, shall be made under its seal, and
- (b) if made by the Secretary of State, shall be made in writing.”

89 <sup>F3</sup> .....

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**Textual Amendments**

**F3** Sch. 16 para. 89 repealed (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 7, Sch. 4 (with art. 6 Sch. 3)

- 90 In section 51(2) (the bodies that are social landlords for the purposes of having complaints against them investigated by a housing ombudsman)—
- (a) in paragraph (a), after “registered social landlord” insert “ or a body which was at any time a registered social landlord ”, and
  - (b) in paragraph (d), for “Corporation” substitute “ Housing Corporation, or with Housing for Wales, ”.

91 In section 52(1) (provisions about powers of Secretary of State to make orders), for “this Part” substitute “ section 2, 17, 39, 51 or 55 or Schedule 2 ”.

92 **F4** .....

**Textual Amendments**

**F4** Sch. 16 para. 92 repealed (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 7, Sch. 4 (with art. 6 Sch. 3)

93 **F5** .....

**Textual Amendments**

**F5** Sch. 16 para. 93 repealed (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 7, Sch. 4 (with art. 6 Sch. 3)

94 **F6** .....

**Textual Amendments**

**F6** Sch. 16 para. 94 repealed (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), ss. 321(1), 325, Sch. 16; S.I. 2010/862, art. 3 (with transitional savings in Sch.)

95 **F7** .....

**Textual Amendments**

**F7** Sch. 16 para. 95 repealed (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 7, Sch. 4 (with art. 6 Sch. 3)

- 96 (1) Schedule 1 (regulation of registered social landlords) is amended as follows.
- (2) In paragraphs 9 and 11—
- (a) in sub-paragraph (3), omit “given by order under the seal of the Corporation”, and
  - (b) after that sub-paragraph insert—  
“(3A) Consent under sub-paragraph (3)—

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- (a) if given by the Housing Corporation, shall be given by order under its seal, and
  - (b) if given by the Secretary of State, shall be given by order in writing.”
- (3) In paragraphs 12(6) and 13(7), for “are to consent given by order under the seal of the Corporation” substitute “are—
- (a) if it is given by the Housing Corporation, to consent given by order under its seal, and
  - (b) if it is given by the Secretary of State, to consent given by order in writing.”
- (4) <sup>F8</sup> .....
- (5) In paragraph 20(3)—
- (a) after “appointed”, in the first place, insert “ by the Housing Corporation to conduct an inquiry ”,
  - (b) for “Corporation” substitute “ Housing Corporation ”, and
  - (c) before “appointed”, in the second place, insert “ so ”.
- (6) In paragraph 27(1)—
- (a) omit “, with the consent of the Secretary of State,”, and
  - (b) <sup>F8</sup> .....
- (7) <sup>F8</sup> .....
- (8) In paragraph 28(2), in the entry relating to section 79 of the <sup>M1</sup>Housing Associations Act 1985, for “Housing Corporation” substitute “ Relevant Authority ”.

**Textual Amendments**

**F8** Sch. 16 para. 96(4)(6)(b)(7) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 7, [Sch. 4](#) (with art. 6 Sch. 3)

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**Marginal Citations**

**M1** 1985 c. 69.

- 97 (1) Schedule 2 (social rented sector: housing complaints) is amended as follows.
- (2) In paragraph 6(2), for “Corporation” (in both places) substitute “ Housing Corporation ”.
- (3) <sup>F9</sup> .....

**Textual Amendments**

**F9** Sch. 16 para. 97(3) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 321(1), 325, [Sch. 16](#); [S.I. 2010/862](#), art. 3 (with transitional savings in Sch.)

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 104(1A) inserted by [2022 asc 1 s. 68\(6\)\(a\)](#)
- Sch. 1 para. 5A5B by [2000 c. 41 Sch. 3 para. 10\(5\)](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 paras. 8-16 repealed without ever being in force by Government of Wales Act 2006 (c. 32), s. 163, {Sch. 12} (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.)
- Sch. 17 para. 11A inserted by [2022 asc 1 Sch. 4 para. 12\(4\)\(b\)](#)