

**Changes to legislation:** Housing Act 2004, Paragraph 31 is up to date with all changes known to be in force on or before 27 August 2023. 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 6

#### MANAGEMENT ORDERS: PROCEDURE AND APPEALS

#### PART 3

##### APPEALS AGAINST DECISIONS RELATING TO MANAGEMENT ORDERS

*“The operative time” for the purposes of section 111(2), 112(2), 121(2) or 122(2)*

- 31 (1) This paragraph defines “the operative time” for the purposes of—
- (a) section 111(2) or 112(2) (variation or revocation of interim management order), or
  - (b) section 121(2) or 122(2) (variation or revocation of final management order).
- (2) If no appeal is made under paragraph 28 before the end of the period of 28 days mentioned in paragraph 29(2), “the operative time” is the end of that period.
- (3) If an appeal is made under paragraph 28 within that period, and a decision is given on the appeal which confirms the variation or revocation, “the operative time” is as follows—
- (a) if the period within which an appeal to the [<sup>F1</sup>Upper Tribunal] may be brought expires without such an appeal having been brought, “the operative time” is the end of that period;
  - (b) if an appeal to the [<sup>F1</sup>Upper Tribunal] is brought, “the operative time” is the time when a decision is given on the appeal which confirms the variation or revocation.
- (4) For the purposes of sub-paragraph (3)—
- (a) the withdrawal of an appeal has the same effect as a decision which confirms the variation or revocation appealed against; and
  - (b) references to a decision which confirms a variation are to a decision which confirms it with or without variation.

#### Textual Amendments

- F1** Words in Sch. 6 para. 31(3)(a)(b) substituted (1.6.2009) by [Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), **Sch. 1 para. 282** (with [Sch. 5](#))

#### Commencement Information

- II** Sch. 6 wholly in force at 16.6.2006; Sch. 6 not in force at Royal Assent see s. 270(4)(5); Sch. 6 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), **art. 2(1)(a)** (with [Sch.](#)); Sch. 6 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), **art. 2(a)** (with [Sch.](#))

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**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

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

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)