

HOUSING AND REGENERATION ACT 2008

EXPLANATORY NOTES

STRUCTURE OF THE ACT

Part 1 - the Homes and Communities Agency

Chapter 4 - Other functions of the HCA

Social housing

Section 34 – Determinations under sections 32 and 33

69. This section sets out the process for determinations under sections 32 and 33. A determination could define the “relevant events” which would trigger these requirements (e.g. the disposal of a grant-funded property), or it could specify the purposes to which sums may be applied (e.g. the provision of similar properties, the refurbishment of others, etc.).
70. *Subsection (1)* prohibits the HCA from making a general determination without the consent of the Secretary of State. And *subsection (2)* requires the HCA, before making such a determination, to consult the Regulator of Social Housing, and other appropriate persons.
71. The HCA may vary or revoke a determination but, in varying or revoking a determination, the HCA cannot override the provision that events and principles according to which it exercises its powers to recover grants must be predetermined.