

SCHEDULES

SCHEDULE 19

Section 195

HOUSING AND REGENERATION: CONSEQUENTIAL AMENDMENTS

Public Health Act 1961 (c. 64)

- 1 In Schedule 4 to the Public Health Act 1961 (attachment of street lighting equipment to certain buildings) in the entry for a building owned by a development corporation established under the New Towns Act 1946 etc at the end insert “or the Greater London Authority so far as exercising its new towns and urban development functions.”

Leasehold Reform Act 1967 (c. 88)

- 2 In section 37(1)(ba)(i) of the Leasehold Reform Act 1967 (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Land Compensation Act 1973 (c. 26)

- 3 In section 39(9)(b)(i) of the Land Compensation Act 1973 (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Rent (Agriculture) Act 1976 (c. 80)

- 4 In section 5(3A) of the Rent (Agriculture) Act 1976 (definition of “English new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Rent Act 1977 (c. 42)

- 5 In section 14(2) of the Rent Act 1977 (definition of “English new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Protection from Eviction Act 1977 (c. 43)

- 6 In section 3A(8A)(a) of the Protection from Eviction Act 1977 (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Local Government, Planning and Land Act 1980 (c. 65)

- 7 In section 93(1A) of the Local Government, Planning and Land Act 1980 (application of sections 95 to 96A to the Homes and Communities Agency) after “2008” insert

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“and to the Greater London Authority so far as it is exercising its new towns and urban development functions”.

Highways Act 1980 (c. 66)

- 8 In section 219(4B)(a) (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 9 In Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (street trading) in paragraph 2(5A)(a) (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Housing Act 1985 (c. 68)

- 10 The Housing Act 1985 is amended as follows.
- 11 In section 4(1)(g)(i) (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.
- 12 In section 45(2) (restrictions on service charges payable after disposal of lease: disposals to which restrictions apply) in the definition of “public sector authority” after the entry for the Homes and Communities Agency insert—
“the Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions.”
- 13 (1) Section 80 (secure tenancies: the landlord condition) is amended as follows.
- (2) In subsection (1) after “the Homes and Communities Agency” insert “, the Greater London Authority”.
- (3) In subsection (2A) for the “or” at the end of paragraph (a) substitute—
“(aa) the Greater London Authority as mentioned in section 333ZI(2)(a) to (d) of the Greater London Authority Act 1999, or”.
- (4) In subsection (2B)—
(a) after “Agency” insert “, the Greater London Authority”, and
(b) after “(2A)(a)” insert “, (aa)”.
- (5) In subsection (2C) after “Agency” in both places insert “, the Greater London Authority”.
- (6) In subsection (2D) after “Agency” in both places insert “, the Greater London Authority”.
- (7) In subsection (2E) after “Agency” insert “, the Greater London Authority”.
- (8) In subsection (5)—
(a) after the first “Agency” insert “, to the Greater London Authority”, and
(b) after the second “Agency” insert “, the Greater London Authority”.

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- 14 In section 151B (right to buy: mortgage for securing redemption of landlord’s share) after subsection (5A) insert—
- “(5B) In subsection (5) “the Relevant Authority” also includes the Greater London Authority.”
- 15 In section 156 (right to buy: liability to repay to be a charge on the premises) after subsection (4ZA) insert—
- “(4ZB) In subsection (4) “the Relevant Authority” also includes the Greater London Authority.”
- 16 (1) Section 450A (right to a loan in respect of service charges after exercise of right to buy) is amended as follows.
- (2) In subsection (5A) after “6A(4)” insert “and in the case of a property outside Greater London”.
- (3) After that subsection insert—
- “(5B) In subsection (4)(a) “the Relevant Authority”, in relation to a housing association falling within section 6A(4) and in the case of a property in Greater London, means the Greater London Authority.”
- 17 In section 450B(1)(a) (power to make loans in other cases) after “Agency” insert “or the Greater London Authority”.
- 18 In section 453(1)(b) (further advances in case of disposal on shared ownership lease) after “Agency” insert “or the Greater London Authority”.
- 19 In section 458(1) (loans for acquisition or improvement of housing: minor definitions) in the definition of “housing authority” after “Agency,” insert “the Greater London Authority”.
- 20 In Schedule 4 (qualifying period for right to buy and discount) in paragraph 7B for the “or” at the end of paragraph (a) substitute—
- “(aa) the Greater London Authority, or”.
- 21 In Schedule 5 (exceptions to the right to buy) in paragraph 3—
- (a) in the entry in the list for section 19 of the Housing and Regeneration Act 2008 omit the words from “(and” to “Act)”, and
- (b) after the end of that entry (but not as an entry in that list) insert—
- “or a grant from the Greater London Authority which was a grant made on condition that the housing association provides social housing.”

Landlord and Tenant Act 1985 (c. 70)

- 22 In section 38 of the Landlord and Tenant Act 1985 (minor definitions) in the definition of “new town corporation” for the “or” at the end of paragraph (b) substitute—
- “(ba) the Greater London Authority so far as exercising its new towns and urban development functions, or”.

Landlord and Tenant Act 1987 (c. 31)

- 23 In section 58(1) of the Landlord and Tenant Act 1987 (exempt landlords) after paragraph (df) insert—

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“(dg) the Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions;”.

Income and Corporation Taxes Act 1988 (c. 1)

- 24 In section 376(4) of the Income and Corporation Taxes Act 1988 (qualifying lenders) after paragraph (j) insert—
- “(ja) the Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions;”.

Housing Act 1988 (c. 50)

- 25 The Housing Act 1988 is amended as follows.
- 26 In section 35(4)(ba) (tenancies which are secure tenancies) after “Agency” insert “, the Greater London Authority”.
- 27 In section 38(5A)(b)(i) (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.
- 28 In section 52(9A) (recovery of grants: interpretation) in the definition of “the appropriate authority”—
- (a) in paragraph (a) after “association” insert “and property outside Greater London”, and
- (b) for the “and” at the end of that paragraph substitute—
- “(aa) in relation to an English relevant housing association and property in Greater London, means the Greater London Authority, and”.

Water Industry Act 1991 (c. 56)

- 29 In section 219(1) of the Water Industry Act 1991 (general interpretation) in the definition of “new towns residuary body” after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Water Resources Act 1991 (c. 57)

- 30 In section 72(2A) of the Water Resources Act 1991 (definition of “new towns residuary body”) after “2008” insert “or the Greater London Authority so far as exercising its new towns and urban development functions”.

Social Security Administration Act 1992 (c. 5)

- 31 In section 191 of the Social Security Administration Act 1992 (general interpretation) in paragraph (a) of the definition of “new town corporation” at the end of subparagraph (ii) insert “or
- (iii) the Greater London Authority so far as exercising its new towns and urban development functions;”.

Taxation of Chargeable Gains Act 1992 (c. 12)

- 32 In section 219(1) of the Taxation of Chargeable Gains Act 1992 (disposals by housing related bodies) in paragraph (d) for “or the Homes and Communities Agency” substitute “, the Homes and Communities Agency or the Greater London Authority”.

Housing Act 1996 (c. 52)

- 33 The Housing Act 1996 is amended as follows.
- 34 (1) Section 51 (schemes for investigation of complaints against social landlords) is amended as follows.
- (2) In subsection (3)(a)—
- (a) in the entry in the list for section 19 of the Housing and Regeneration Act 2008 omit the words from “(and” to “Act)”, and
- (b) at the end of the entry in the list for section 50 of the Housing Act 1988 etc (but not as an entry in that list) insert “,
- or a grant from the Greater London Authority which was a grant made on condition that the recipient provides social housing; or”.
- (3) After that subsection insert—
- “(3A) In subsection (3) “provides social housing” has the same meaning as in Part 1 of the Housing and Regeneration Act 2008.”
- 35 In section 219(4)(a) (directions as to charges by social landlords: meaning of social landlord) after “Agency,” insert “the Greater London Authority,”.

Greater London Authority Act 1999 (c. 29)

- 36 The Greater London Authority Act 1999 is amended as follows.
- 37 (1) Section 38 (delegation) is amended as follows.
- (2) In subsection (2) (persons to whom functions exercisable by the Mayor may be delegated) before paragraph (e) insert—
- “(db) the Homes and Communities Agency;”.
- (3) In subsection (3) (cases where delegation to body requires its consent) after “In the case of” insert “the Homes and Communities Agency;”.
- (4) In subsection (7) (power to exercise delegated functions where no existing power to do so) before paragraph (c) insert—
- “(bb) the Homes and Communities Agency;”.
- (5) Before subsection (9) insert—
- “(8B) An authorisation given by the Mayor under subsection (1) above to the Homes and Communities Agency in relation to a function does not prevent the Mayor from exercising the function.”
- 38 (1) In section 73(6), in the substituted subsection (2) of section 5 of the Local Government and Housing Act 1989 (reports by monitoring officer), the definition of “GLA body or person” is amended as follows.
- (2) Before paragraph (d) insert—

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“(ca) the Homes and Communities Agency, when exercising any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.

(3) Before paragraph (h) insert—

“(gb) any committee or sub-committee of the Homes and Communities Agency when exercising any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.

(4) Before the closing words insert—

“(mb) any member, or member of staff, of the Homes and Communities Agency when exercising, or acting in the exercise of, any function of the Greater London Authority in consequence of an authorisation under section 38 of the Greater London Authority Act 1999;”.

Finance Act 2003 (c. 14)

39 The Finance Act 2003 is amended as follows.

40 In section 71(4) (stamp duty land tax: reliefs for acquisitions by registered social landlords) after paragraph (ca) insert—

“(cb) made or given by the Greater London Authority;”.

41 (1) Schedule 9 (stamp duty land tax: rights to buy, shared ownership leases etc) is amended as follows.

(2) In paragraph 1—

(a) in sub-paragraph (3) after the entry relating to the Homes and Communities Agency insert—

“The Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions”, and

(b) after sub-paragraph (6) insert—

“(7) A grant by the Greater London Authority which—

(a) is made by virtue of section 35 of the Housing and Regeneration Act 2008 as applied by section 333ZE of the Greater London Authority Act 1999, or

(b) is otherwise made to a relevant provider of social housing (within the meaning of section 35 of the Housing and Regeneration Act 2008) in respect of discounts given by the provider on disposals of dwellings to tenants,

does not count as part of the chargeable consideration for a right to buy transaction to which the vendor is a relevant provider of social housing.”

(3) In paragraph 5—

(a) in sub-paragraph (2) after paragraph (e) insert—

“(ea) the Greater London Authority so far as exercising its housing or regeneration functions or its new towns and urban development functions;”, and

(b) in sub-paragraph (2A)—

Status: This is the original version (as it was originally enacted).

- (i) after “financial assistance” insert “made or given”, and
- (ii) after “2008” insert “or by the Greater London Authority”.

(4) In paragraph 7(8)—

- (a) after “financial assistance” insert “made or given”, and
- (b) after “2008” insert “or by the Greater London Authority”.

Finance Act 2004 (c. 12)

42 (1) Section 59 of the Finance Act 2004 (construction industry scheme: contractors) is amended as follows.

(2) In subsection (1) after paragraph (f) insert—

- “(fa) the Greater London Authority in the exercise of its functions relating to housing or regeneration or its new towns and urban development functions;”.

(3) In subsection (2) for “(f)” substitute “(fa)”.

National Health Service Act 2006 (c. 41)

43 The National Health Service Act 2006 is amended as follows.

44 In section 256(2) (bodies to which PCTs may make payments in connection with provision of housing accommodation) after paragraph (ba) insert—

- “(bb) the Greater London Authority,”.

45 In section 268(3) (bodies with whom arrangements may be made for provision of accommodation to persons displaced by health service development) after paragraph (d) insert—

- “(da) the Greater London Authority,”.

Housing and Regeneration Act 2008 (c. 17)

46 The Housing and Regeneration Act 2008 is amended as follows.

47 In section 4(6) (application of rules about the exercise of the Homes and Communities Agency’s specific powers) before the “and” at the end of paragraph (a) insert—

- “(aa) subsection (2) does not apply to the exercise of a function by the HCA in consequence of an authorisation under section 38 of the Greater London Authority Act 1999 (delegation by Mayor),”.

48 In section 112(4) (duty to consult before setting criteria for voluntary registration) before paragraph (b) insert—

- “(aa) the Greater London Authority,”.

49 In section 145 (moratorium) before the table insert—

- “(5) Where the private registered provider owns land in Greater London, the regulator shall give the Greater London Authority a copy of any notice received under this section.”

50 (1) Section 146 (duration of moratorium) is amended as follows.

Status: This is the original version (as it was originally enacted).

- (2) After subsection (4) insert—
- “(4A) If the regulator extends a moratorium in respect of a private registered provider who owns land in Greater London, the regulator shall also notify the Greater London Authority.”
- (3) Before subsection (9) insert—
- “(8A) When a moratorium in respect of a private registered provider who owns land in Greater London ends, the regulator shall also give notice to the Greater London Authority.”
- 51 In section 147 (further moratorium) after subsection (4) insert—
- “(4A) If the regulator imposes a new moratorium in respect of a private registered provider who owns land in Greater London, the regulator shall also notify the Greater London Authority.”
- 52 In section 148(1) (HCA may not, during a moratorium, give or enforce directions as to the use or repayment of financial assistance)—
- (a) before “the HCA” insert “neither”,
- (b) after “the HCA” insert “, nor the Greater London Authority, may”,
- (c) in each of paragraphs (a) and (b) omit “may not”, and
- (d) for the “and” between those paragraphs substitute “or”.
- 53 In section 174(5) (procedure for consent to disposal of social housing) before paragraph (b) insert—
- “(aa) the Greater London Authority,”.
- 54 In section 178(3) (private registered provider’s use of proceeds from disposals) for the words from “to the HCA” to the end substitute “—
- (a) in the case of sums representing net disposal proceeds relating to property outside Greater London, to the HCA, and
- (b) in the case of sums representing net disposal proceeds relating to property in Greater London, to the Greater London Authority.”
- 55 In section 196(1) (consultation on standards and codes of practice) after paragraph (e) insert—
- “(ea) the Greater London Authority,”.
- 56 In section 197(4) (direction by Secretary of State) after paragraph (a) insert—
- “(aa) the Greater London Authority,”.
- 57 In section 216 (consultation on use of intervention powers) after paragraph (b) insert—
- “(ba) the Greater London Authority,”.
- 58 In section 222 (notification of use of enforcement notice) before paragraph (b) insert—
- “(aa) in the case of an enforcement notice given to a registered provider who owns land in Greater London, the Greater London Authority, and”.
- 59 In section 230(2) (pre-penalty warning) before paragraph (b) insert—
- “(aa) the Greater London Authority (if the pre-penalty warning is given to a registered provider who owns land in Greater London), and”.

60 Before section 233 insert—

“232A Notifying the Greater London Authority

If the regulator imposes a penalty on a registered provider who owns land in Greater London, it must send a copy of the penalty notice to the Greater London Authority.”

61 In section 242(3) (pre-compensation warning) before paragraph (b) insert—

“(aa) the Greater London Authority (if the pre-compensation warning is given to a registered provider who owns land in Greater London), and”.

62 (1) Section 248 (supplemental provisions about management tenders) is amended as follows.

(2) In subsection (4) before paragraph (b) insert—

“(aa) the Greater London Authority (if the notice is given to a registered provider who owns land in Greater London),”.

(3) In subsection (7) before paragraph (d) insert—

“(ca) the Greater London Authority (if the notice is given to a registered provider who owns land in Greater London),”.

(4) In subsection (8) before paragraph (b) insert—

“(aa) in the case of a requirement imposed on a registered provider who owns land in Greater London, to the Greater London Authority, and”.

63 (1) Section 250 (supplemental provisions about management transfer) is amended as follows.

(2) In subsection (4) before paragraph (b) insert—

“(aa) in the case of a notice given to a registered provider who owns land in Greater London, the Greater London Authority,”.

(3) In subsection (7) before paragraph (d) insert—

“(ca) if the requirement would be imposed on a registered provider who owns land in Greater London, the Greater London Authority,”.

(4) In subsection (8) before paragraph (b) insert—

“(aa) in the case of a requirement imposed on a registered provider who owns land in Greater London, to the Greater London Authority, and”.

64 (1) Section 252 (supplemental provisions about appointment of managers) is amended as follows.

(2) In subsection (4) before paragraph (b) insert—

“(aa) the Greater London Authority (if the notice is given to a registered provider who owns land in Greater London), and”.

(3) Before subsection (8) insert—

Status: This is the original version (as it was originally enacted).

“(7A) The regulator must notify the Greater London Authority of an appointment or requirement under section 251(2) in respect of a registered provider who owns land in Greater London.”