

1989 No. 239

HOUSING, ENGLAND AND WALES

**The Housing (Right to Buy) (Prescribed Forms)
(Amendment) Regulations 1989**

Made - - - - 22nd February 1989

Coming into force 10th March 1989

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 176(1) and (5) of the Housing Act 1985(a), and of all other powers enabling them in that behalf, hereby make the following Regulations:—

1. These Regulations may be cited as the Housing (Right to Buy) (Prescribed Forms) (Amendment) Regulations 1989 and come into force on 10th March 1989.

2. The form set out in Schedule 1 to the Housing (Right to Buy) (Prescribed Forms) Regulations 1986(b) is amended as follows:—

(a) the following is substituted for the first sentence of the form—

“This notice is for use by certain secure tenants of local authorities and new town development corporations, and of certain housing associations and other bodies, who wish to claim the right to buy their homes.”

(b) the list of public sector landlords at the end of the form is amended—

(i) by the insertion of the words “Housing action trusts” after the entry “Commission for New Towns”;

(ii) by the insertion of the words “AFRC Institute for Grassland and Animal Production” after the entry “Agricultural and Food Research Council”;

(iii) by the omission of the words “National Coal Board” and the insertion of the words “British Coal Corporation” after the entry “British Broadcasting Corporation”;

(iv) by the insertion of the words “Church Commissioners” after the entry “Civil Aviation Authority”;

(v) by the insertion of the words “Historic Buildings and Monuments Commission for England” after the entry “Electricity Council”;

(vi) by the insertion of the words “Lee Valley Regional Park Authority” after the entry “Lake District Special Planning Board”;

(vii) by the insertion of the words “Sports Council for Northern Ireland” after the entry “Police Authority for Northern Ireland”;

(viii) by the omission of the asterisk against the entry “Ministers of the Crown and Government Departments” and of the corresponding footnote.

3. Nothing in these Regulations shall affect the validity of any notice served by a secure tenant under section 122(1) of the Housing Act 1985 before 10th June 1989 if the notice was in the form set out in Schedule 1 to the Regulations mentioned in regulation 2 above, as originally made, or in a form substantially to the like effect.

(a) 1985 c.68.

(b) S.I. 1986/2194.

15th February 1989

Nicholas Ridley
Secretary of State for the Environment

22nd February 1989

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

The right to buy is provided for in Part V of the Housing Act 1985. These Regulations make minor amendments to the form of the notice claiming to exercise the right to buy (Schedule 1 to the Housing (Right to Buy) (Prescribed Forms) Regulations 1986).

The first sentence of the form is altered by regulation 2(a) to reflect the fact that, consequent upon the coming into force of Part I of the Housing Act 1988 (c.50), persons who become tenants of housing associations on and after 15th January 1989 will not normally enjoy the right to buy.

The form lists certain bodies as public sector landlords. Periods spent as a tenant of such a body are relevant in relation to entitlement to the right to buy and to discount. The Housing (Right to Buy) (Prescribed Persons) Order 1989 (S.I. 1989/174) makes additions to those bodies.

Regulation 2(b) adds to the list—

—housing action trusts established under Part III of the 1988 Act (Section 83(7) of the 1988 Act adds such trusts to paragraph 7 of Schedule 4 to the 1985 Act)

—the bodies named in the 1989 Order,

and omits the footnote which makes reference to prison officers' accommodation, (in respect of which, the landlord condition will now be treated as satisfied) in consequence of the amendment made by article 2(2)(a) of the 1989 Order.

A notice claiming the right to buy served by a secure tenant before 10th June 1989 is not invalidated by these Regulations if it is in the form required by the 1986 Regulations or in a form substantially to the like effect (regulation 3).

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