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STATUTORY INSTRUMENTS

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**1991 No. 619**

**HOUSING, ENGLAND AND WALES**

**The Housing (Right to Buy) (Priority of Charges) Order 1991**

*Made* - - - - *11th March 1991*

*Coming into force* - - *1st April 1991*

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 156(4) of the Housing Act 1985<sup>(1)</sup>, and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Order:

1. This Order may be cited as the Housing (Right to Buy) (Priority of Charges) Order 1991 and shall come into force on 1st April 1991.

2. The following bodies are hereby specified as approved lending institutions for the purposes of section 156 of the Housing Act 1985:

- (a) Legal and General Mortgage Services Limited
- (b) Leeds and Holbeck Mortgage Corporation Limited
- (c) Albion Home Loans Limited.

28th February 1991

*Michael Heseltine*  
Secretary of State for the Environment

7th March 1991

*David Hunt*  
Secretary of State for Wales

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(1) 1985 c. 68.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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We consent,

11th March 1991

*Sydney Chapman*  
*Irvine Patnick*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Under the Housing Act 1985 (“the 1985 Act”) liability to repay discount following the exercise of the right to buy or the right to be granted a shared ownership lease is secured by a charge on the dwelling-house. Such a charge does not have priority over certain charges securing advances by bodies which are approved lending institutions for the purposes of section 156 of that Act.

Such bodies are also approved lending institutions for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposal by a local authority) and paragraph 2 of Schedule 2 to the Housing Associations Act 1985 (c. 69) (priority of charges on voluntary disposal by a housing association) dealing with voluntary disposals at a discount by local authorities and housing associations respectively.

Article 2 of this Order specifies three additional bodies as approved lending institutions. (Other bodies have been specified by previous Orders.)