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STATUTORY INSTRUMENTS

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**1997 No. 569**

**HOUSING, ENGLAND AND WALES**

**WALES**

**The Housing (Right to Acquire) (Discount) (Wales) Order 1997**

<i>Made</i>	- - - -	<i>10th March 1997</i>
<i>Laid before Parliament</i>		<i>11th March 1997</i>
<i>Coming into force</i>	- -	<i>1st April 1997</i>

The Secretary of State for Wales, in exercise of the powers conferred upon him by section 17(1)(a) and 17(5) of the Housing Act 1996<sup>(1)</sup>, and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation, commencement and application**

1. This Order may be cited as the Housing (Right to Acquire) (Discount) (Wales) Order 1997 and shall come into force on 1st April 1997. It extends to dwellings in Wales only.

**Interpretation**

2. In this Order—

“the 1996 Act” means the Housing Act 1996;

“the open market value”, in relation to a dwelling, means the price for which the dwelling would have been sold at the relevant time, with vacant possession in an arms length transaction between a willing buyer and a willing seller on the open market;

“the relevant notice”, in relation to an exercise of the right to acquire, means the notice served in accordance with section 122 of the Housing Act 1985, as applied to the right to acquire by section 17 of the 1996 Act and regulations made thereunder<sup>(2)</sup>;

“relevant time” in relation to an exercise of the right to acquire, means the date on which that notice is served; and

“the right to acquire” means the right of a tenant of a social landlord to acquire the dwelling of which he is a tenant, conferred by section 16 of the 1996 Act.

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<sup>(1)</sup> 1996 c. 52.

<sup>(2)</sup> Section 122 of the Housing Act 1985 is modified in its application to the right to acquire by the Housing (Right to Acquire) Regulations 1997 (S.I.1997/619).

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**Rate of discount**

3. The percentage rate of discount to be given on the exercise of the right to acquire, shall be 25 per cent of the open market value of the dwelling subject to a maximum of £16,000.

**Questions as to Open Market Value**

4. Any question arising as to the open market value of a dwelling at the relevant time shall be determined by the District Valuer.

Signed by authority of the Secretary of State for Wales

*Jonathan Evans*  
Parliamentary Under Secretary of State, Welsh  
Office

10th March 1997

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## **EXPLANATORY NOTE**

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

This Order applies only to Wales. It specifies the rate of discount under section 17 of the Housing Act 1996, for the purposes of the exercise of the right conferred by section 16 of that Act. Tenants of registered social landlords who have a right to acquire their homes pursuant to sections 16 and 17 of that Act will be able to do so with a discount from the open market value.