

2005 No. 411

HOUSING, ENGLAND

The Castle Vale Housing Action Trust (Dissolution) Order 2005

Made - - - - - *28th February 2005*

Laid before Parliament *7th March 2005*

Coming into force - - - *31st March 2005*

The First Secretary of State, in exercise of the powers conferred by section 88 of the Housing Act 1988(a), hereby makes the following Order:

Citation and commencement

1. This order may be cited as the Castle Vale Housing Action Trust (Dissolution) Order 2005 and shall come into force on 31st March 2005.

Interpretation

2. In this Order—

“the 1981 Act” means the New Towns Act 1981(b);

“commencement date” means the date specified in article 1;

“the Commission” means the Commission for New Towns(c);

“the dissolution date” means the date specified in article 6;

“relevant function” means a function which is exercisable by the Trust in connection with any of the property, rights or liabilities transferred by this Order;

“the Trust” means the Castle Vale Housing Action Trust which was established by the Castle Vale Housing Action Trust (Area and Constitution) Order 1993(d).

Transfer of property, rights, liabilities and functions to the Commission

3.—(1) Subject to paragraph (2), any property, rights and liabilities remaining vested in the Trust immediately before the commencement date, and any relevant function, shall be transferred to the Commission on that date.

(a) 1988 c.50; section 88 was amended by section 144 of the Housing Grants, Construction and Regeneration Act 1996 (c.53).

(b) 1981 c.64.

(c) See section 35 of the 1981 Act. Section 35 of the 1981 Act was amended by section 14(1) of the New Towns and Urban Development Corporations Act 1985 (c.5).

(d) S.I. 1993/1634.

(2) Paragraph (1) shall not apply in respect of any property, rights, liabilities or relevant functions which the Trust has notified in writing to the Commission, not less than 14 days before the commencement date, as those which it thinks necessary or expedient to retain for the purpose of preparing its final accounts and report and winding up its affairs.

(3) Any property, rights and liabilities remaining vested in the Trust immediately before the dissolution date, and any relevant function, shall be transferred to the Commission on that date.

Additional purposes of the Commission

4.—(1) The purposes for which the Commission exists, as mentioned in section 36(1) of the 1981 Act (functions of the Commission), shall also include—

- (a) to take over and, with a view to its eventual disposal, to hold, manage and turn to account the property of the Trust transferred to the Commission by article 3, and
- (b) as soon as it considers expedient to do so, to dispose of property so transferred, and
- (c) to carry out any functions so transferred.

(2) In this article—

- (a) any reference to property includes a reference to rights and liabilities; and
- (b) in relation to liabilities, any reference to disposal includes a reference to extinguishment.

Restrictions on additional functions of the Commission

5. Section 37 of the 1981 Act shall have effect as if any reference to section 36 included a reference to article 4.

Dissolution of the Trust

6. The Trust shall be dissolved on 30th June 2005.

Revocation of Order

7. The Castle Vale Housing Action Trust (Area and Constitution) Order 1993 is revoked on the dissolution date.

Signed by authority of the First Secretary of State

28th February 2005

Keith Hill
Minister of State
Office of the Deputy Prime Minister

EXPLANATORY NOTE

(This note is not part of the Order)

This Order transfers to the Commission for the New Towns (“the Commission”) any property rights and liabilities of the Castle Vale Housing Action Trust (“the Trust”) on 31st March 2005, except those which the Trust has notified the Commission that it needs to retain for the purpose of preparing its final accounts and report and winding up its affairs. The Order transfers the remaining property, rights and liabilities of the Trust to the Commission on 30th June 2005 and dissolves the Trust on that date. Functions exercisable in connection with property, rights or liabilities are also transferred.

Article 4 of the Order confers additional purposes on the Commission to enable it to carry out any transferred functions and eventually dispose of any property, rights and liabilities transferred to it from the Trust.

Article 7 of the Order revokes the Castle Vale Housing Action Trust (Area and Constitution) Order 1993 (S.I.1993/1634) on 30th June 2005.

STATUTORY INSTRUMENTS

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