

SCHEDULE 1

Article 5

Consequential provisions

**Housing Associations Act 1985**

1. The Housing Associations Act 1985(1) is amended as follows.
2. Omit section 74(2) (the Housing Corporation).
3. In section 75 (general functions of the relevant authority), at the end insert—
  - “(6) For the purposes of subsections (1)(c) and (e) and (4) “the Relevant Authority” means the Welsh Ministers only.”.
4. Omit section 76A (realisation of value of corporation’s loans portfolio).
5. Omit section 78 (Housing Corporation: annual report).

6.—(1) Section 84 (agreements to indemnify certain lenders: England and Wales) is amended as follows.

- (2) For “Relevant Authority”, wherever appearing, substitute “Welsh Ministers”.
- (3) In subsection (1), for “binds itself” substitute “bind themselves”.
- (4) In subsection (3)(b) for “is” substitute “are”.
- (5) Omit subsection (4).
- (6) In subsection (5)—
  - (a) for the words from the beginning to “he has not” substitute “The Welsh Ministers shall, before entering into an agreement in a form about which they have not”, and
  - (b) in paragraphs (a) and (b) for “he thinks” substitute “they think”.
- (7) For the heading substitute “Agreements to indemnify certain lenders”.

7.—(1) Section 85 (interpretation of terms used in section 84) is amended as follows.

- (2) In subsections (2), (3) and (4) for “Secretary of State” substitute “Welsh Ministers”.
- (3) In subsection (4) omit “the Housing Corporation”.

8.—(1) Section 88 (acquisition of land) is amended as follows.

- (2) In subsection (1)—
  - (a) for “Relevant Authority” substitute “Welsh Ministers”, and
  - (b) for the words after paragraph (b) substitute—

“and the Welsh Ministers may acquire land compulsorily for any such purpose.”.
- (3) In subsection (2) for “Relevant Authority” substitute “Welsh Ministers”.
- (4) For subsection (3) substitute—

“(3) The Acquisition of Land Act 1981 applies to the compulsory purchase of land under this section.”.
- (5) Omit subsections (4) and (5).

9.—(1) Section 89 (provision of dwellings or hostels etc) is amended as follows.

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(1) 1985 c.69.

- (2) For “Relevant Authority”, wherever appearing, substitute “Welsh Ministers”.
- (3) For “to it”, wherever appearing, substitute “to them”.
- (4) In subsection (4)(a) for “itself” substitute “themselves”.
- (5) In subsection (5) for “its” substitute “their”.

**10.**—(1) Section 90 (disposal of land) is amended as follows.

(2) In subsection (1)—

- (a) for “Relevant Authority” substitute “Welsh Ministers”,
- (b) for “it has”, in both places, substitute “they have”,
- (c) for “its powers” substitute “their powers”, and
- (d) omit the words from “; and the Housing Corporation” to the end.

(3) In subsection (2)—

- (a) for “Relevant Authority” substitute “Welsh Ministers”,
- (b) for “its powers” substitute “their powers”, and
- (c) omit the words from “and the Housing Corporation” to the end.

(4) For subsections (3) to (6) substitute—

“(3) The Welsh Ministers may sell or lease individual dwellings to persons for those persons to occupy.

(4) The Welsh Ministers may dispose of a building or land intended for use for commercial, recreational or other non-domestic purposes in respect of which development has been carried out by virtue of section 89.

(5) The Welsh Ministers may dispose of land which is not required for the purposes for which it was acquired.”.

**11.** Omit sections 91 to 100 and Schedule 6 (constitution).

**12.** Nothing in the above amendments confers a power on the Welsh Ministers which they did not have immediately before the coming into force of this Order.

### **Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008**

**13.** In the Schedule to the Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008(2) omit—

- (a) sub-paragraph (4) of the third paragraph, and
- (b) sub-paragraph (9) of the fifth paragraph.

## SCHEDULE 2

Article 6

### Consequential repeals and revocations

<i>Title</i>	<i>Repeal or revocation</i>
Statutory Corporations (Financial Provisions) Act 1975 (c.55)	Section 5.

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(2) S.I. 2008/2839.

<i>Title</i>	<i>Repeal or revocation</i>
Housing Associations Act 1985 (c.69)	Schedule 2. Sections 74(2), 76A, 78 and 84(4). In section 85(4), the words “the Housing Corporation”. Section 88(4) and (5). In section 90(1), the words from “; and the Housing Corporation” to the end. In section 90(2), the words from “and the Housing Corporation” to the end. Sections 91 to 100. Schedule 6.
Housing Act 1988 (c.50)	In Schedule 6, paragraphs 31(2) and 35.
Housing Corporation Advances (Increase of Limit) Order 1990 (S.I. 1990/779)	The whole Order.
Companies Act 1989 (Eligibility for Appointment as Company Auditor) (Consequential Amendments) Regulations 1991 (S.I. 1991/1997)	In the Schedule, paragraph 59(2).
Housing Act 1996 (c.52)	In Schedule 3, paragraph 6.
Government of Wales Act 1998 (c.38)	In Schedule 16, paragraphs 32, 34, 38(3), 39(a), 41, 42(4) to (7) and 43 to 51.
Government Resources and Accounts Act 2000 (Audit of Public Bodies) Order 2003 (S.I. 2003/1326)	Article 16.
Housing Corporation (Delegation) etc. Act 2006 (c.27)	Section 1(1).
Companies Act 2006 (Consequential Amendments etc) Order 2008 (S.I. 2008/948)	In Schedule 1, paragraph 1(ii).
Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839)	In the Schedule, sub-paragraph (4) of the third paragraph and sub-paragraph (9) of the fifth paragraph.