

## SCHEDULE

### Transitional and saving provisions: Parts 1 and 2

#### *Disposal of property*

#### **Other disposal consent regimes: transitional provisions**

17.—(1) The consent provisions continue to have effect on and after the commencement date in relation to any disposal made by an English registered social landlord before the commencement date as if—

- (a) those provisions were not amended by sections 190 and 191 of the 2008 Act (consent to disposal under other legislation) or any order under section 114 of that Act (registration of local authorities), and
- (b) the 2008 Order were not revoked.

(2) Sub-paragraph (3) or (4) applies if—

- (a) an English registered social landlord has made an application for consent to the Secretary of State under any consent provision before the commencement date, and
- (b) the application has not been determined or withdrawn before that date.

(3) If the application was made 28 days or more before the commencement date, it is to be determined on or after that date by the Secretary of State (and, for this purpose, the consent provision concerned is to be treated as if the amendments made to it by sections 190 and 191 of the 2008 Act and any order under section 114 of that Act were not made and as if the 2008 Order were not revoked).

(4) If the application was made less than 28 days before the commencement date, it is to be treated on and after that date as if made to the TSA under the consent provision concerned (as it has effect on and after that date).

(5) The amendments made to the consent provisions by sections 190 and 191 of the 2008 Act do not affect the validity of any consent given under those provisions before the commencement date.

(6) Anything done or omitted to be done by or in relation to the Secretary of State for the purposes of or in connection with any function transferred by sections 190 and 191 of the 2008 Act is, if in force or effective immediately before the commencement date, to have effect as if done or omitted to be done by or in relation to the TSA so far as that is required for continuing its effect on and after the commencement date.

(7) In this paragraph “the consent provisions” means section 171D(2) to (4) of the Housing Act 1985<sup>(1)</sup>, sections 81 and 133 of the 1988 Act and section 173 of the Local Government and Housing Act 1989<sup>(2)</sup> and any other enactment, instrument or other document so far as it has effect under or otherwise in connection with those sections.

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(1) 1985 c.68. Section 171D was inserted by section 8 of the Housing and Planning Act 1986 (c.63).

(2) 1989 c.42.