

SCHEDULE

Transfer of Functions from the HCA to the Regulator of Social Housing

PART 1

Establishment of the Regulator of Social Housing

14. After the heading for Chapter 2 of Part 2 insert—

“The Regulator

Establishment

- 80A.**—(1) The Regulator of Social Housing is established as a body corporate.
- (2) The Regulator of Social Housing is referred to in this Part as “the regulator”.
- (3) The regulator (and any member of the regulator)—
- (a) is not the servant or agent of the Crown, and
 - (b) does not share any immunity or privilege of the Crown.
- (4) No property of the regulator is to be regarded as property of, or held on behalf of, the Crown.

Membership

- 80B.**—(1) The regulator is to consist of—
- (a) a person appointed by the Secretary of State as chair (“the chair”),
 - (b) at least 6 and no more than 10 other members, appointed by the Secretary of State, and
 - (c) the chief executive appointed under section 80D(1).
- (2) The Secretary of State must consult the chair before appointing a member under subsection (1)(b).
- (3) In appointing a person to be an appointed member the Secretary of State must—
- (a) have regard to the desirability of appointing a person who has experience of, and has shown some capacity in, matters relevant to the exercise of the functions of the regulator, and
 - (b) be satisfied that the person has no financial or other interest likely to affect prejudicially the exercise of the person’s functions as a member.
- (4) The Secretary of State may require any person who the Secretary of State proposes to appoint as an appointed member to provide any information the Secretary of State considers necessary for the purposes of subsection (3)(b).
- (5) In this Part “appointed member” means—
- (a) the chair, or
 - (b) a member appointed under subsection (1)(b).

Status: This is the original version (as it was originally made).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

Terms of appointment of members

80C.—(1) An appointed member holds and vacates office in accordance with the appointed member’s terms of appointment (subject to this section).

(2) An appointed member may resign by notice to the Secretary of State.

(3) The Secretary of State may dismiss an appointed member who—

- (a) has been absent from meetings of the regulator for a period of more than 6 months without its permission,
- (b) has become bankrupt or has made an arrangement with the member’s creditors,
- (c) the Secretary of State thinks has failed to comply with the member’s terms of appointment,
- (d) the Secretary of State thinks has failed to comply with the member’s obligations under section 92P (members’ interests),
- (e) the Secretary of State thinks is otherwise unable, unfit or unsuitable to perform the functions of the member.

Staff

80D.—(1) The chair and other appointed members of the regulator must appoint a chief executive.

(2) But a person may be appointed as chief executive under subsection (1) only if approved by the Secretary of State.

(3) The regulator may appoint other staff.

(4) The regulator may pay to its staff such remuneration and allowances as it may decide.

(5) The regulator may—

- (a) pay such pensions, allowances or gratuities to or in respect of any, or any former, member of staff, or
- (b) pay such sums towards the provision for the payment of pensions, allowances or gratuities to or in respect of any, or any former, member of staff,

as it may decide.”.