

## SCHEDULE 15

### RELIEF FOR CERTAIN TRANSACTIONS RELATING TO SOCIAL HOUSING

#### PART 3

##### SHARED OWNERSHIP LEASES

###### *Shared ownership leases: interpretation*

- 9 (1) For the purposes of paragraphs 6, 7 and 8, a “shared ownership lease” means a lease granted—
- (a) by a qualifying body, or
  - (b) in pursuance of the preserved right to buy, in relation to which the conditions in paragraph 3(2) or 5(2) are met.
- (2) Sub-paragraphs (3) and (4) apply to paragraphs 3 to 8.
- (3) A “qualifying body” means—
- (a) a local housing authority within the meaning given by section 1 of the [Housing Act 1985 \(c. 68\)](#);
  - (b) a housing association within the meaning given by the [Housing Associations Act 1985 \(c. 69\)](#);
  - (c) a housing action trust established under Part 3 of the [Housing Act 1988 \(c. 50\)](#).
- (4) A lease is granted in pursuance of the preserved right to buy if—
- (a) the seller is a person against whom the right to buy under Part 5 of the [Housing Act 1985 \(c. 68\)](#) is exercisable by virtue of section 171A of that Act (preservation of right to buy on disposal to private sector landlord),
  - (b) the tenant is the qualifying person for the purposes of the preserved right to buy, and
  - (c) the lease is of a dwelling that is the qualifying dwelling-house in relation to the buyer.
- (5) In sub-paragraph (4), “qualifying person” (“*person cymwys*”) and “qualifying dwelling-house” (“*ty annedd cymwys*”) have the meaning given by section 171B of the [Housing Act 1985 \(c. 68\)](#).