
Changes to legislation: There are currently no known outstanding effects for the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018, Cross Heading: Housing and Regeneration Act 2008 (c. 17). (See end of Document for details)

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS AND REPEALS

Housing and Regeneration Act 2008 (c. 17)

- 6 (1) The Housing and Regeneration Act 2008 is amended as follows.
- (2) In section 62 (reference to Welsh Ministers), in the table, in the first column omit the reference to section 17(1), (2)(b), (5)(b) and (6), and in the second column omit the corresponding entry.
- (3) In section 63 (reference to National Assembly for Wales), in the table, in the first column omit the reference to section 17(7), and in the second column omit the corresponding entry.
- (4) In section 149 (exempted disposals), in subsection (8), omit paragraph (b) (and the “or” that precedes it).
- (5) In section 181 (interpretation of “publicly funded”), in subsection (6), in paragraph (b), for “under section 16(4) of that Act” substitute “ by the Welsh Ministers ”.
- (6) In section 184 (right to acquire: supplemental), for subsections (1) and (2) substitute—
- “(1) The Secretary of State may by order—
- (a) specify the amount or rate of discount to be given on the exercise of the right conferred by section 180, and
- (b) designate rural areas in relation to dwellings in which the right conferred by that section does not arise.
- (2) The provisions of Part 5 of the Housing Act 1985 apply in relation to the right to acquire under section 180—
- (a) subject to any order under subsection (1) above, and
- (b) subject to such other exceptions, adaptations and other modifications as may be specified by regulations made by the Secretary of State.
- (3) The regulations may provide—
- (a) that the powers of the Secretary of State under sections 164 to 170 of that Act (powers to intervene, give directions or assist) do not apply,
- (b) that paragraphs 1 and 3 (exceptions for charities and certain housing associations), and paragraph 11 (right of appeal to Secretary of State), of Schedule 5 to that Act do not apply,
- (c) that the provisions of Part 5 of that Act relating to the right to acquire on rent to mortgage terms do not apply,
- (d) that the provisions of that Part relating to restrictions on disposals in National Parks etc. do not apply, and
- (e) that the provisions of that Part relating to the preserved right to buy do not apply.

Nothing in this subsection affects the generality of the power conferred by subsection (2).

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- (4) The specified exceptions, adaptations and other modifications shall take the form of textual amendments of the provisions of Part 5 of that Act as they apply in relation to the right to buy under that Part; and any consolidating regulations shall set out the provisions of Part 5 as they so apply.
- (5) Before making an order which would have the effect that an area ceased to be designated under subsection (1)(b), the Secretary of State shall consult—
- (a) the local housing authority or authorities in whose district the area or any part of it is situated or, if the order is general in its effect, local housing authorities in general, and
 - (b) such bodies appearing to the Secretary of State to be representative of private registered providers as the Secretary of State considers appropriate.
- (6) Regulations made under this section are consolidating regulations if they are made for the purposes of consolidating other regulations that are being revoked in the instrument containing the consolidating regulations.”
- (7) Section 185 (right to acquire: consequential amendments) is repealed.
- (8) In section 320 (orders and regulations), in subsection (7), after paragraph (a), insert—
- “(aa) an order or regulations of the Secretary of State under section 184,”.

Commencement Information

II Sch. 1 para. 6 in force at 26.1.2019 by S.I. 2018/100, art. 2(b) (with art. 3)

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