

Draft Regulations laid before Parliament under section 320(3)(a) of the Housing and Regeneration Act 2008, section 214(2)(n) of the Housing and Planning Act 2016 and section 44(4) of the Social Housing (Regulation) Act 2023, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2024 No.

**HOUSING, ENGLAND AND WALES
CHARITIES, ENGLAND AND WALES
INSOLVENCY**

**The Social Housing (Regulation) Act 2023 (Consequential
and Miscellaneous Amendments) Regulations 2024**

*Made - - - - - ***
Coming into force in accordance with regulation 1(2)
to (10)*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 44 of the Social Housing (Regulation) Act 2023⁽¹⁾, section 114(4)(c) of the Housing and Regeneration Act 2008⁽²⁾ and section 213 of the Housing and Planning Act 2016⁽³⁾.

In accordance with section 320(3)(a) of the Housing and Regeneration Act 2008, section 214(2)(n) of the Housing and Planning Act 2016 and section 44(4) of the Social Housing (Regulation) Act 2023, a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, extent and interpretation

1.—(1) These Regulations may be cited as the Social Housing (Regulation) Act 2023 (Consequential and Miscellaneous Amendments) Regulations 2024 and come into force in accordance with paragraphs (2) to (10).

(2) Subject to paragraphs (3) to (10), these Regulations come into force on the day after the day on which they are made.

(3) Paragraph 1(3) and (4) of Schedule 1 comes into force on the day on which section 12 of the 2023 Act comes into force.

(1) 2023 c. 36.
(2) 2008 c. 17.
(3) 2016 c. 22.

(4) Paragraph 1(5) of Schedule 1 comes into force on the day on which section 4 of the 2023 Act comes into force.

(5) Paragraph 1(6) of Schedule 1 comes into force on the day on which section 32 of the 2023 Act comes into force.

(6) Paragraph 1(7) of Schedule 1 comes into force on the day on which section 31(5) of the 2023 Act comes into force.

(7) Paragraph 1(8) of Schedule 1 comes into force on the day on which paragraph 13(a) of Schedule 3 to the 2023 Act comes into force.

(8) Paragraph 1(9)(a) of Schedule 1 comes into force on the day on which section 32 of the 2023 Act comes into force.

(9) Paragraph 2 of Schedule 1 comes into force on the day on which section 12 of the 2023 Act comes into force.

(10) Paragraph 3 of Schedule 1 comes into force on the day on which section 8 of the 2023 Act comes into force.

(11) Any amendment made by these Regulations has the same extent as the provision amended.

(12) In these Regulations, “the 2023 Act” means the Social Housing (Regulation) Act 2023.

Consequential and miscellaneous amendments

2. The following have effect—

- (a) Schedule 1, which makes provision that is consequential on the 2023 Act;
- (b) Schedule 2, which makes miscellaneous amendments relating to the regulation of social housing.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Date

Name
Parliamentary Under Secretary of State for
Housing and Homelessness
Department for Levelling Up, Housing and
Communities

SCHEDULE 1

Regulation 2(a)

Consequential amendments

PART 1

Housing and Regeneration Act 2008

1.—(1) The Housing and Regeneration Act 2008 is amended as follows.

(2) In section 59 (purpose), after “section 79)” insert “and local authorities (as defined in section 275)”.

(3) In section 100G (direction to the HCA)(4), for subsection (2)(b) (but not the “or” following it), substitute—

“(b) an event mentioned in section 145(2) has occurred in relation to the registered provider.”.

(4) In section 147 (further moratorium)(5)—

(a) in subsection (1)(b), for “notice mentioned in section 145 is given” substitute “event mentioned in section 145(2) occurs”;

(b) in subsection (2), for “notice” substitute “event mentioned in section 145(2)”.

(5) In section 220 (grounds for giving notice)(6), in subsection (9), for the words from “pay” to the end substitute “pay an annual fee under section 117(1)(b).”.

(6) In section 225 (sanction), in subsection (2)(a), for “the next group of sections,” substitute “sections 226 to 235.”.

(7) In section 237 (grounds for award), in subsection (1)(a), for “either” substitute “any”.

(8) In the italic cross-heading before section 256(7), omit “non-profit”.

(9) In section 276 (index of defined terms)—

(a) after the entry for “Dwelling” insert—

“Emergency remedial action	section 225B”;
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(b) after the entry for “Enforcement notice” insert—

“English body	section 79”;
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(c) after the entry for “The HCA” insert—

“Housing ombudsman	section 275”.
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(4) Section 100G was inserted by [S.I. 2018/1040](#).

(5) Section 147(1)(b) and (2) were amended by paragraph 5 of Schedule 6 to the Housing and Planning Act 2016 ([c. 22](#)).

(6) Subsection (9) was substituted by [S.I. 2010/844](#).

(7) The cross-heading was amended by [S.I. 2010/844](#).

PART 2

Other Acts

Greater London Authority Act 1999

2. For section 333ZG of the Greater London Authority Act 1999 (relationship with the Regulator of Social Housing: directions)(**8**), for subsection (2)(b) (but not the “or” following it), substitute—

“(b) an event mentioned in section 145(2) of that Act has occurred in relation to the registered provider of social housing.”.

Charities Act 2011

3. In Schedule 3 to the Charities Act 2011 (exempt charities)(**9**), in paragraph 26, for “non-profit” substitute “private”.

Housing and Planning Act 2016

4.—(1) The Housing and Planning Act 2016 is amended as follows.

(2) In section 95 (housing administration orders), omit subsection (3).

(3) In section 99(4) (definition of “administrative receiver”)—

(a) for the words from “means” to “within” substitute “has”;

(b) omit the “or” following paragraph (a);

(c) omit paragraph (b).

(4) In section 100 (powers of court), omit subsection (8).

(5) In section 116 (interpretation of Chapter), omit the definitions of—

(a) “foreign company”, and

(b) “UK affairs, business and property”.

(6) In Schedule 5 (conduct of housing administration: companies), omit Part 2 (further modification of Schedule B1 to Insolvency Act 1986: foreign companies).

PART 3

Statutory Instruments

Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016

5. In regulation 2 (interpretation) of the Social Housing Rents (Exceptions and Miscellaneous Provisions) Regulations 2016(**10**), for the definition of “community land trust” substitute—

““community land trust” has the same meaning as in section 2(7A) of the Leasehold Reform (Ground Rent) Act 2022(**11**);”.

(8) 1999 c. 29; section 333ZG was inserted by section 187(3) of the Localism Act 2011 (c. 20).

(9) 2011 c. 25.

(10) S.I. 2016/390.

(11) 2022 c. 1; section 2(7A) was inserted by the Social Housing (Regulation) Act 2023.

SCHEDULE 2

Regulation 2(b)

Miscellaneous amendments

Housing and Regeneration Act 2008

- 1.—(1) The Housing and Regeneration Act 2008 is amended as follows.
- (2) In section 60(3) (structural overview), omit paragraph (a) (including the “or” following it).
- (3) In section 116 (entry in the register: voluntary registration)(**12**), in subsection (6), for “local housing authorities and county councils” substitute “local authorities”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments to primary and secondary legislation.

Schedule 1 makes amendments that are consequential on the Social Housing (Regulation) Act 2023 (c. 36). That Act makes provision about the regulation of social housing, including the bodies potentially eligible to voluntarily register, the housing moratorium regime and the regulator’s powers of enforcement. It also amends the special housing administration regime.

Schedule 2 makes miscellaneous amendments in relation to the regulation of social housing to correct two references.

A full impact assessment has not been produced for this instrument, as no impact on the private, voluntary or public sectors is foreseen. A full impact assessment has been prepared in relation to the Social Housing (Regulation) Act 2023. A copy is available at <https://bills.parliament.uk/publications/46714/documents/1906>. A hard copy can be obtained by writing to the Department for Levelling Up, Housing and Communities, 2 Marsham Street, London, SW1P 4DF.

(12) Section 116 was amended by S.I. 2010/844.