Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 1

INTRODUCTION

Preliminary

59 Purpose

The purpose of this Part is to regulate the provision of social housing (as defined in sections 68 to 77) by English bodies (as defined in section 79) **[**[F1]and local authorities (as defined in section 275)**]**.

Textual Amendments

F1 Words in s. 59 inserted (21.3.2024) by The Social Housing (Regulation) Act 2023 (Consequential and Miscellaneous Amendments) Regulations 2024 (S.I. 2024/399), reg. 1(2), **Sch. 1 para. 1(2)**

Commencement Information

I1 S. 59 in force at 8.9.2008 by S.I. 2008/2358, **art. 3(1)**

60 Structural overview

(1) This Part replaces the system of "registered social landlords" under Part 1 of the Housing Act 1996 (c. 52).

(2) That Part will continue to apply in relation to Wales (see section 61).

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(3) Certain provisions of that Part—

[F2](a) . . . . . .

(b) are preserved although they apply to England only (see section 124).

[F3](4) . . . . . .

Textual Amendments

F2 S. 60(3)(a) omitted (21.3.2024) by virtue of The Social Housing (Regulation) Act 2023 (Consequential and Miscellaneous Amendments) Regulations 2024 (S.I. 2024/399), reg. 1(2), **Sch. 2 para. 1(2)**

F3 S. 60(4) omitted (20.9.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 5 para. 2**; S.I. 2023/1001, reg. 2(y)(ii)

Commencement Information

I2 S. 60 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

61 Restriction of "registered social landlord" system to Wales

(1) Part 1 of the Housing Act 1996 (c. 52) (social rented sector) is amended as follows (and the title of Part 1 becomes "Social Rented Sector in Wales").

(2) Before section 1 (register of social landlords) insert—

"A1 **Introduction**

This Chapter provides for the registration of social landlords in Wales."

(3) In section 1—

(a) for "The Relevant Authority" substitute " The Welsh Ministers ", and

(b) omit subsections (1A) and (1B).

(4) After section 1 insert—

"**1A Welsh bodies**

In this Chapter "Welsh body" means a body which is—

(a) a registered charity whose address, for the purposes of registration by the Charity Commission for England and Wales, is in Wales,

(b) **[**[F4]a registered society**]** whose registered office for the purposes of the Industrial and Provident Societies Act 1965 is in Wales, or

(c) a company within the meaning of the Companies Act 2006 which has its registered office for the purposes of that Act in Wales."

(5) In section 2 (eligibility for registration)—

(a) in subsection (1), for "A body" substitute " A Welsh body ",

(b) in subsection (2) after "that the body is" insert " principally concerned with Welsh housing, is ",

(c) after subsection (2) insert—

"(2A) A body is principally concerned with Welsh housing if the Welsh Ministers think—

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(a) that it owns housing only or mainly in Wales, or

(b) that its activities are principally undertaken in respect of Wales;

and once a body has been registered in reliance on paragraph (a) or (b) it does not cease to be eligible for registration by virtue only of ceasing to satisfy that paragraph.”,

(d) in subsection (7) for “Secretary of State” (in each place) substitute “ Welsh Ministers ”, and

(e) in subsection (8) for “either House of Parliament” substitute “ the National Assembly for Wales ”.

(6) In section 3 (registration)—

(a) in subsection (1) for “any body” substitute “ any Welsh body ”, and

(b) in subsection (4) for “A body” substitute “ A Welsh body ”.

(7) The table sets out substitutions which have effect throughout the Part (except section 51 and Schedule 2); and where necessary in consequence of those substitutions, for words in the singular substitute appropriate corresponding words in the plural.

Expression	*Substitution*
“the Relevant Authority”	“the Welsh Ministers”
“the Authority”	“the Welsh Ministers”
“the Relevant Authority's”	“the Welsh Ministers”

(8) Omit section 56 (meaning of “the Relevant Authority”).

(9) Sections 62 and 63 make other consequential amendments.

Textual Amendments

F4 Words in Act substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 122** (with Sch. 5)

Commencement Information

I3 S. 61 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

62 References to Welsh Ministers

In the following provisions of the Housing Act 1996 (c. 52)—

(a) for “Secretary of State” substitute “ Welsh Ministers ”,

(b) for “Secretary of State makes” substitute “ Welsh Ministers make ”,

(c) for “he” substitute “ they ”,

(d) for “him” substitute “ them ” (except in section 12A(4)), and

(e) for “considers” substitute “ consider ”.

Provision	*Topic*
Section 9(1A)(b)	Consent for disposal of land

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Section 12A(4)	Right of first refusal: regulations
Section 15A(5)	Deferred resale agreements: order
F5	**F5**
. . .	. . .
Section 18(5)(b)	Social housing grants: appointment of agent
Section 23(6)	Loans: approved schemes
Section 27A(3)	Grants to other bodies: further provision
Section 29(1), (2) and (3)	Commutation of special residual subsidy
Section 30(5)(b)	Collection of information: notice
Section 39(3)	Insolvency etc: order defining terms
Section 46(7)(b)	Appointment of manager: order
Section 52(1) and (3)	Orders: general
Section 53(1), (4) and (5)	Determinations: general
Section 55(2)	Consequential: order
Paragraph 9(3A)(b) of Schedule 1	Change of rules of **[**[F6]registered society**]**: consent
Paragraph 11(3A)(b) of Schedule 1	Change of articles of company: consent
Paragraph 15A(1) of Schedule 1	Transfer of assets of charity on dissolution: order

Textual Amendments

F5 Words in s. 62 omitted (26.1.2019) by virtue of Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (anaw 1), s. 11(3)(4), **Sch. 1 para. 6(2)**; S.I. 2018/100, art. 2(b) (with art. 3) (with savings in S.I. 2019/110, reg. 5)

F6 Words in Act substituted (1.8.2014 immediately after s. 1 of the Co-operative and Community Benefit Societies and Credit Unions Act 2010 comes into force) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 123** (with Sch. 5)

Commencement Information

I4 S. 62 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

63 References to National Assembly for Wales

In the following provisions of the Housing Act 1996 (c. 52) for "either House of Parliament" substitute " the National Assembly for Wales ".

Provision	*Topic*
Section 12A(8)(b)	Right of first refusal: regulations

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Section 15A(6)(b)	Deferred resale agreements: order
F7	**F7**
. . .	. . .
Section 27A(10)	Grants to other bodies: order
Section 39(3)	Insolvency: order
Section 55(3)	Consequential: order
Paragraph 15A(4) of Schedule 1	Transfer of assets of charity on dissolution: order

Textual Amendments

F7 Words in s. 63 omitted (26.1.2019) by virtue of Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (anaw 1), s. 11(3)(4), **Sch. 1 para. 6(3)**; S.I. 2018/100, art. 2(b) (with art. 3) (with savings in S.I. 2019/110, reg. 5)

Commencement Information

I5 S. 63 in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

64 Dissolution of Housing Corporation

(1) The Secretary of State shall by order make provision for the dissolution of the Housing Corporation.

(2) The Secretary of State may by order make consequential amendment of enactments referring to the Housing Corporation.

(3) Omit section 33A of the Housing Associations Act 1985 (c. 69) (provision of services between the Corporations).

Commencement Information

I6 S. 64(1)(2) in force at 16.2.2009 by S.I. 2009/363, **art. 2**

I7 S. 64(3) in force at 1.4.2010 by S.I. 2010/862, **art. 2** (with Sch.)

65 Transfer schemes

(1) The Secretary of State may make one or more schemes for the transfer of the Housing Corporation's property, rights or liabilities to—

(a) the regulator,

(b) the HCA, or

(c) the Secretary of State.

(2) On the transfer date, the designated property, rights or liabilities are transferred and vest in accordance with the scheme.

(3) Schedule 6 applies to a scheme under this section.

(4) In this section—

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

"designated", in relation to a scheme, means specified in or determined in accordance with the scheme;

"the transfer date" means the date specified by a scheme as the date on which the scheme is to have effect.

(5) Schedule 7 makes provision about the tax implications of schemes under this section (and schemes under section 51).

Commencement Information

I8 S. 65 in force at 8.9.2008 by S.I. 2008/2358, **art. 3(1)**

66 Interim arrangements

The Secretary of State may by notice require the Housing Corporation to provide staff, premises, facilities or other assistance to—

(a) the regulator, or

(b) the HCA.

Commencement Information

I9 S. 66 in force at 8.9.2008 as it applies in relation to, or makes provision about the tax implications of, schemes under ss. 51 and 65 by S.I. 2008/2358, **art. 3(1)**

67 Transitional arrangements

(1) The Secretary of State may by order transfer functions of the Housing Corporation to—

(a) the regulator,

(b) the HCA, or

(c) the regulator and the HCA jointly or concurrently.

(2) An order under subsection (1) may make provision in relation to English registered social landlords which is similar to any provision made by this Part in relation to registered providers.

(3) "English registered social landlord" means a body—

(a) which is registered as a social landlord under Part 1 of the Housing Act 1996, and

(b) which does not fall within paragraphs (a) to (c) of section 56(2) of that Act (Welsh bodies).

(4) The Secretary of State may by order make further provision in respect of a function transferred under this section (which may, in particular, include provision for the function to cease to be exercisable).

(5) Provision made under this section, including provision made by virtue of section 320(1)(d), may modify an enactment.

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) Provision under section 322(1) in connection with the coming into force of a provision of this Act may, in particular, include transitional provision having regard to the effect of provision made under this section.

Commencement Information

I10 S. 67 in force at 8.9.2008 as it applies in relation to, or makes provision about the tax implications of, schemes under ss. 51 and 65 by S.I. 2008/2358, **art. 3(1)**

I11 S. 67 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

Social housing

68 Basic principle

(1) In this Part "social housing" means—

(a) low cost rental accommodation (defined by section 69), and

(b) low cost home ownership accommodation (defined by section 70).

(2) Accommodation which becomes "social housing" by satisfying subsection (1)(a) or (b) remains "social housing" for the purposes of this Part unless and until an event specified in sections 73 to 76 occurs.

(3) Section 77 makes transitional provision as a result of which certain accommodation is to be treated as "social housing" whether or not it satisfies subsection (1)(a) or (b).

Commencement Information

I12 S. 68 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I13 S. 68 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

69 Low cost rental

Accommodation is low cost rental accommodation if—

(a) it is made available for rent,

(b) the rent is below the market rate, and

(c) the accommodation is made available in accordance with rules designed to ensure that it is made available to people whose needs are not adequately served by the commercial housing market.

Commencement Information

I14 S. 69 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I15 S. 69 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

70 Low cost home ownership

(1) Accommodation is low cost home ownership accommodation if the following conditions are satisfied.

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(2) Condition 1 is that the accommodation is occupied, or made available for occupation, in accordance with—
  (a) shared ownership arrangements,
  (b) equity percentage arrangements, or
  (c) shared ownership trusts.

(3) Condition 2 is that the accommodation is made available in accordance with rules designed to ensure that it is made available to people whose needs are not adequately served by the commercial housing market.

(4) "Shared ownership arrangements" means arrangements under a lease which—
  (a) is granted on payment of a premium calculated by reference to a percentage of either the value of the accommodation or the cost of providing it, and
  (b) provides that the tenant (or the tenant's personal representatives) will or may be entitled to a sum calculated by reference to the value of the accommodation.

(5) "Equity percentage arrangements" means arrangements under which—
  (a) the owner of a freehold or leasehold interest in residential property ("the seller") conveys it to an individual ("the buyer"),
  (b) the buyer, in consideration for the conveyance—
    (i) pays the seller a sum (the "initial payment") expressed to represent a percentage of the value of the interest at the time of the conveyance, and
    (ii) agrees to pay the seller other sums calculated by reference to a percentage of the value of the interest at the time when each sum is to be paid, and
  (c) the liability to make any payment required by the arrangements (apart from the initial payment) is secured by a mortgage.

(6) Shared ownership trusts has the same meaning as in Schedule 9 to the Finance Act 2003 (c. 14) (stamp duty land tax).

(7) The Secretary of State may make regulations amending—
  (a) the definition of "low cost home ownership accommodation";
  (b) the definition of any of the sub-categories specified in that definition.

Commencement Information

I16 S. 70 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I17 S. 70 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

71 Shared ownership low cost rental

Accommodation which is both low cost rental accommodation and low cost home ownership accommodation is to be treated as the latter and not as the former.

Commencement Information

I18 S. 71 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I19 S. 71 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

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72 Regulations

(1) The Secretary of State may make regulations providing that specified property, or a specified class of property, is or is not to be treated as social housing for the purposes of this Part.

(2) The regulations may provide for property to be social housing despite not satisfying section 68(1)(a) or (b) where the Secretary of State thinks the property is of a kind, or is provided in circumstances, that serve the needs of a group whose needs are not adequately served by the commercial housing market.

(3) The regulations—

(a) may override section 68(2),

(b) are subject to sections 68(3) and 77, and

(c) are subject to sections 69 and 70 (but may clarify doubt about the application of those sections).

(4) The regulations—

(a) may make provision by reference to the opinion of the regulator or another specified person, and

(b) may make provision by reference to designation, agreement or other action by the regulator or another specified person.

Commencement Information

I20 S. 72 in force at 8.9.2008 by S.I. 2008/2358, **art. 3(1)**

73 Leaving the social housing stock: sale

(1) A dwelling ceases to be social housing if it is sold to the tenant.

(2) Low cost rental accommodation is "sold to the tenant" when the tenant exercises a statutory or contractual right and as a result becomes the owner of—

(a) the freehold interest in the property, or

(b) the leasehold interest previously owned by the person providing the social housing.

(3) Low cost home ownership accommodation of the shared ownership kind is "sold to the tenant" when the tenant exercises a statutory or contractual right and as a result becomes the owner of—

(a) the freehold interest in the property, or

(b) the leasehold interest previously owned by the person providing the social housing.

(4) Low cost home ownership accommodation of the equity percentage kind is "sold to the tenant" when the "buyer" (see section 70(5)(a)) exercises a statutory or contractual right as a result of which the equity percentage arrangements (see section 70(5)) come to an end.

(5) Low cost home ownership accommodation of the shared ownership trust kind comes to an end when the "purchaser" (see paragraph 7(4)(a) of Schedule 9 to the Finance Act 2003 (c. 14)) exercises a statutory or contractual right as a result of which the trust comes to an end.

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Commencement Information

I21 S. 73 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I22 S. 73 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

74 Leaving the social housing stock: [F8ending of] lease

(1) A dwelling ceases to be social housing if—

(a) the provider holds a leasehold interest in the dwelling, and

(b) the leasehold interest **[**F9determines (whether by effluxion of time or in any other way)**]**.

[F10(2) But subsection (1) does not apply if, immediately before the leasehold interest determines, the lessor was—

(a) an associate or subsidiary of the provider, or

(b) a registered provider.**]**

Textual Amendments

F8 Words in s. 74 heading substituted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 37(1)(a)**, 46(3) (with s. 37(2)); S.I. 2023/1001, reg. 2(r)

F9 Words in s. 74(1)(b) substituted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 37(1)(b)**, 46(3) (with s. 37(2)); S.I. 2023/1001, **reg. 2(r)**

F10 S. 74(2) substituted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 37(1)(c)**, 46(3) (with s. 37(2)); S.I. 2023/1001, **reg. 2(r)**

Commencement Information

I23 S. 74 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I24 S. 74 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

[F11 74A Leaving the social housing stock: transfer by private providers

(1) A dwelling ceases to be social housing if a private registered provider F12... owns the freehold or a leasehold interest and transfers it to a person who is not a registered provider F12....

(2) Subsection (1) does not apply if and for so long as the private registered provider has a right to have the interest transferred back to it.

(3) Subsection (1) does not apply where low cost home ownership accommodation is transferred to—

(a) the "buyer" under equity percentage arrangements (see section 70(5)), or

(b) the trustees under a shared ownership trust (see section 70(6)).

(4) See section 73 for circumstances when low cost home ownership accommodation ceases to be social housing.**]**

Textual Amendments

F11 S. 74A inserted (6.4.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 4 para. 9**; S.I. 2017/75, reg. 4

F12 Words in s. 74A(1) omitted (20.9.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 5 para. 3**; S.I. 2023/1001, reg. 2(y)(ii)

75 Leaving the social housing stock: [F13local authority] disposal with consent

F14(1) . . . . . .

[F15(1A) A dwelling ceases to be social housing if it is—

(a) disposed of with the Secretary of State's consent in accordance with section 32 or 43 of the Housing Act 1985 (disposals by local authorities),

(b) appropriated with the Secretary of State's consent in accordance with section 19(2) of that Act (appropriation by local authorities for some other purpose), or

(c) disposed of by a local authority with the Secretary of State's consent in accordance with any other enactment.]

(2) [F16Subsection (1A) does] not apply to a disposal in pursuance of shared ownership arrangements or equity percentage arrangements.

(3) [F16Subsection (1A) does] not apply if the consent is conditional upon the dwelling continuing to be low cost rental accommodation or low cost home ownership accommodation.

(4) A condition of that kind shall include provision for determining when the dwelling ceases to be social housing.

Textual Amendments

F13 Words in s. 75 heading inserted (6.4.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 4 para. 10(4)**; S.I. 2017/75, reg. 4

F14 S. 75(1) omitted (6.4.2017) by virtue of Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 4 para. 10(2)**; S.I. 2017/75, reg. 4

F15 S. 75(1A) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 2(2)**

F16 Words in s. 75(2)(3) substituted (6.4.2017) by Housing and Planning Act 2016 (c. 22), s. 216(3), **Sch. 4 para. 10(3)**; S.I. 2017/75, reg. 4

Commencement Information

I25 S. 75 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I26 S. 75 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

76 Leaving the social housing stock: regulator's direction

(1) The regulator may direct that a specified dwelling is to cease to be social housing.

(2) The regulator may make a direction only on the application of the provider.

[F17(3) A direction may not be made if the provider is a local authority.]

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F17 S. 76(3) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 3**

Commencement Information

I27 S. 76 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I28 S. 76 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

77 Housing stock under Housing Act 1996

(1) This section applies to property owned by a registered social landlord within the meaning of Part 1 of the Housing Act 1996 (c. 52) before the coming into force of section 61 of this Act.

(2) Property to which this section applies is social housing—

(a) whether or not it satisfies section 68(1)(a) or (b), and

(b) unless and until an event specified in sections 73 to 76 occurs.

(3) But property to which any of the exceptions below applies when section 61 comes into force is social housing only if the purchase, construction or renovation of the property was funded by means of a grant under—

(a) section 19 (financial assistance by the HCA),

(b) section 18 of the Housing Act 1996 (social housing grant), or

(c) section 50 of the Housing Act 1988, section 41 of the Housing Associations Act 1985 (c. 69) or section 29 or 29A of the Housing Act 1974 (c. 44) (housing association grant).

(4) Exception 1 is accommodation let on the open market.

(5) Exception 2 is accommodation made available only to students in full-time education or training.

(6) Exception 3 is a care home (within the meaning of the Care Standards Act 2000 (c. 14)) in which nursing is provided.

(7) Exception 4 is accommodation provided in response to a request by the Secretary of State under section 100 of the Immigration and Asylum Act 1999 (c. 33) (support for asylum seekers).

(8) Exception 5 is property of a kind specified by regulations made by the Secretary of State.

Commencement Information

I29 S. 77 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I30 S. 77 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

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Other key concepts

[F18]78 Regulator of Social Housing

. . . . . .

Textual Amendments

F18 S. 78 repealed (1.4.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 16 para. 13, **Sch. 25 Pt. 26**; S.I. 2012/628, art. 6(i)(j) (with arts. 911141517)

79 English bodies

(1) In this Part "English body" means—

(a) a registered charity whose address for the purposes of registration by the Charity Commission is in England,

(b) **[**[F4]a registered society**]** whose registered office for the purposes of **[**[F19]the Co-operative and Community Benefit Societies Act 2014**]** is in England,

(c) a registered company which has its registered office in England,

[F20](d) . . . . . .

[F21](e) . . . . . **[**[F22]and

(f) a limited liability partnership which has its registered office in England.**]**

[F23](2) . . . . . .

[F23](3) . . . . . .

[F23](4) . . . . . .

[F23](5) . . . . . .

Textual Amendments

F4 Words in Act substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 122** (with Sch. 5)

F19 Words in s. 79(1)(b) substituted (1.8.2014) by Co-operative and Community Benefit Societies Act 2014 (c. 14), s. 154, **Sch. 4 para. 124** (with Sch. 5)

F20 S. 79(1)(d) omitted (20.9.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), **ss. 6(b)**, 46(3); S.I. 2023/1001, reg. 2(e)

F21 S. 79(1)(e) omitted (20.9.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), **ss. 6(b)**, 46(3); S.I. 2023/1001, reg. 2(e)

F22 S. 79(1)(f) and word inserted (20.9.2023) by Social Housing (Regulation) Act 2023 (c. 36), **ss. 6(a)**, 46(3); S.I. 2023/1001, reg. 2(e)

F23 S. 79(2)-(5) omitted (20.9.2023) by virtue of Social Housing (Regulation) Act 2023 (c. 36), s. 46(3), **Sch. 5 para. 4**; S.I. 2023/1001, reg. 2(y)(ii)

Commencement Information

I31 S. 79 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I32 S. 79 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

Changes to legislation: *Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

80 Provider of social housing

(1) In this Chapter a reference to the provider of social housing is to be construed as follows.

Type of social housing	*Provider*
Low cost rental accommodation	The landlord
Low cost home ownership accommodation: shared ownership	The landlord
Low cost home ownership accommodation: equity percentage	"The seller" within the meaning of section 70(5)(a)
Low cost home ownership accommodation: shared ownership trust	The "social landlord" within the meaning of paragraph 7(3) of Schedule 9 to the Finance Act 2003

(2) Chapter 3 provides for the establishment of a register of providers of social housing: persons listed in the register—

(a) may be referred to in an enactment or other instrument as "registered providers of social housing", and

(b) are referred to in this Part as "registered providers".

[[F24](3) Persons listed in the register who are not local authorities—

(a) may be referred to in an enactment or other instrument as "private registered providers of social housing", and

(b) are referred to in this Part as "private registered providers".**]**

Textual Amendments

F24 S. 80(3) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844), art. 1(2), **Sch. 1 para. 5**

Commencement Information

I33 S. 80 in force at 8.9.2008 for specified purposes by S.I. 2008/2358, **art. 3(1)**

I34 S. 80 in force at 1.4.2010 in so far as not already in force by S.I. 2010/862, **art. 2** (with Sch.)

Changes to legislation:
Housing and Regeneration Act 2008, Chapter 1 is up to date with all changes known to be in force on or before 23 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 14(6A) inserted by 2023 c. 55 s. 138
- s. 251(1)(c) and word inserted by 2023 c. 36 s. 31(7)
- s. 251(1)(ab)(ac) inserted by 2023 c. 36 s. 10(6)