
STATUTORY INSTRUMENTS

2008 No. 3068

**The Housing and Regeneration Act 2008
(Commencement No. 2 and Transitional,
Saving and Transitory Provisions) Order 2008**

Commencement of certain provisions of Part 3 (landlord and tenant and housing matters)

4.—(1) The following provisions of Chapter 2 of Part 3 of the Act shall come into force on the commencement date—

- (a) section 295 (management agreements: extending requirements to co-operate);
- (b) section 296 (requirements to co-operate in relation to certain disposals of land);
- (c) section 311 (disposals of dwelling-houses by local authorities) and Schedule 14.

(2) The provisions of Chapter 2 of Part 3 of the Act mentioned in paragraphs (3) to (10) of this article shall come into force on the commencement date to the extent or for the purpose specified in relation to each such provision.

(3) Subsections (5), (6), (8) and (9) of section 298 (family intervention tenancies: termination) for the purpose of enabling the Secretary of State to make regulations under subsection (5) or (8).

(4) Section 299 (possession orders relating to certain tenancies) and Part 2 of Schedule 11 for the purpose of enabling the appropriate national authority to make orders under that Part of that Schedule.

(5) Sections 301 and 302 (shared ownership leases) for the purpose of enabling the Secretary of State to make—

- (a) regulations prescribing requirements, exemptions, conditions and percentages, for the purposes of paragraphs 3A or 4A of Schedule 4A to the Leasehold Reform Act 1967⁽¹⁾, and
- (b) orders under paragraph 4A of that Schedule.

(6) Section 303 (service charges: provision of information etc.) and paragraphs 1 to 10 of Schedule 12 for the purpose of enabling the Secretary of State to make regulations under section 21 (service charges information) of the Landlord and Tenant Act 1985⁽²⁾.

(7) Section 303 and paragraphs 11 to 13 of Schedule 12 for the purpose of enabling the Secretary of State to make regulations under section 42A (service charge contributions to be held in designated account) of the Landlord and Tenant Act 1987⁽³⁾.

(8) Section 308 (former right to buy and other flats: service charge loans) in relation to loans in respect of service charges on flats in England only.

(9) Section 309 (former right to buy and other flats: equity share purchases) for the purpose of enabling the Secretary of State to make regulations under section 450D of the Housing Act 1985⁽⁴⁾.

(1) 1967 c. 88. Schedule 4A was inserted by the Housing and Planning Act 1986 (c. 63), section 18 and Schedule 4, paragraphs 6 and 11.
(2) 1985 c.70.
(3) 1987 c.31.
(4) 1985 c.68.

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

(10) Section 315 (armed forces: local connection test) shall come into force in relation to applications—

- (a) for an allocation of housing accommodation, to which section 166 of the Housing Act 1996⁽⁵⁾ applies; or
- (b) to which Part VII (homelessness), as applied by section 183(1) (application for assistance) of that Act, applies,

made on or after the commencement date.

(11) Section 297 (family intervention tenancies: general) and, so far as not brought into force by paragraphs (2) and (3) of this article, section 298 (family intervention tenancies: termination) shall come into force on 1st January 2009.

(5) 1996 c.52.