

HOUSING (WALES) MEASURE 2011

EXPLANATORY NOTES

INTRODUCTION

1. These Explanatory Notes are for the Housing (Wales) Measure 2011 (“the Measure”) which was passed by the National Assembly for Wales (“the Assembly”) on 22 March 2011 and approved by Her Majesty in Council on 10 May 2011. They have been prepared by the Welsh Assembly Government’s Housing Directorate to assist understanding of the Measure. They do not form part of the Measure and have not been endorsed by the Assembly. The Explanatory Notes should be read in conjunction with the Measure. They are not intended to be a comprehensive description of the Measure. Therefore, where a section, or part of a section, does not appear to require any explanation, none is given.
2. Part 1 of the Measure allows a local housing authority (“the authority”) to apply to the Welsh Ministers to suspend the Right to Buy and Related Rights in respect of the whole or part of the authority’s area, initially for a period of up to 5 years and the authority may apply for an extension to that period. The Assembly’s competence to legislate on this matter is found in Matter 11.5 of Field 11 of Schedule 5 to the Government of Wales Act 2006 (c.32) (“GOWA 2006”). Matter 11.5 was inserted into Field 11 of Schedule 5 by the National Assembly for Wales (Legislative Competence) (Housing and Local Government) Order 2010 made on 21 July 2010.
3. Part 2 of the Measure provides the Welsh Ministers with enhanced regulatory and intervention powers concerning the provision of housing by Registered Social Landlords. The Assembly’s competence to legislate on this matter is found in Matters 11.2 and 11.3 of Field 11 of Schedule 5 to GOWA 2006. Matters 11.2 and 11.3 were inserted into Field 11 of Schedule 5 by the National Assembly for Wales (Legislative Competence) (Housing and Local Government) Order 2010.
4. There are 3 Parts to the Measure and they are:

Part 1: Suspension of the Right to Buy and Related Rights

Chapter 1: Directions suspending the Right to Buy and Related Rights

Chapter 2: Variation of Direction Suspending the Right to Buy and Related Rights

Chapter 3: Extension of Direction Suspending the Right to Buy and Related Rights

Chapter 4: Revocation of Direction Suspending the Right to Buy and Related Rights

Chapter 5: Applications: General Provisions

Chapter 6: Amendments to the Housing Act 1985

Chapter 7: Miscellaneous

Part 2: Registered Social Landlords

Chapter 1: Performance

Chapter 2: Voluntary Undertakings

Chapter 3: Regulation

Chapter 4: Enforcement

These notes refer to the Housing (Wales) Measure 2011 (c.5)

Chapter 5: Miscellaneous and General Provisions

Part 3: Supplementary and Final Provisions

Each Part is explained in turn below.