



# Housing Associations Act 1985

## 1985 CHAPTER 69

### PART I

#### REGULATION OF HOUSING ASSOCIATIONS

##### *Miscellaneous*

#### **33 Recognition of central association.**

- (1) The Secretary of State may, if he thinks fit, recognise for the purposes of this section a central association or other body established for the purposes of promoting the formation and extension of housing associations [<sup>F1</sup>in Great Britain or in any part of Great Britain] and of giving them advice and assistance.
- (2) The Secretary of State may make a grant in aid of the expenses of the association or body of such amount as he may, with the approval of the Treasury, determine.

#### **Textual Amendments**

**F1** Words inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. I para. 23](#)

#### **[<sup>F2</sup>33A Provision of services between the Corporations.**

Any of the Corporations may enter into an agreement with the others or either of them for the provision of services of any description by the one to the other or others on such terms, as to payment or otherwise, as the parties to the agreement consider appropriate.]

#### **Textual Amendments**

**F2** [S. 33A](#) inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. I para. 24](#)

*Status: Point in time view as at 01/01/1993.*

*Changes to legislation: There are currently no known outstanding effects for the Housing Associations Act 1985, Cross Heading: Miscellaneous. (See end of Document for details)*

### 34 Provision of land by county councils.

- (1) Where a housing association wishes to erect houses which in the opinion of the Secretary of State are required and the local housing authority in whose district the houses are proposed to be built are unwilling to acquire land with a view to selling or leasing it to the association, the county council, on the application of the association, may acquire land for that purpose.
- (2) For that purpose the county council may exercise all the powers of a local housing authority under Part II of the <sup>M1</sup>Housing Act 1985 (provision of housing) in regard to the acquisition and disposal of land; and the provisions of that Act as to the acquisition of land by local housing authorities for the purposes of that Part apply accordingly.

#### Marginal Citations

M1 1985 c. 68.

### 35 Housing trusts: power to transfer housing to local housing authority.

- (1) A housing trust may—
  - (a) sell or lease to the local housing authority the houses provided by the trust, or
  - (b) make over to the authority the management of the houses.
- (2) So far as subsection (1) confers power to dispose of land—
  - (a) it does not apply to registered housing associations (on whom power to dispose of land is conferred by section 8);
  - (b) it has effect subject to section 9 (dispositions requiring consent of [<sup>F3</sup>Corporation]) where the housing trust is an unregistered housing association and the land is grant-aided land (as defined in Schedule 1); and
  - (c) it has effect subject to [<sup>F4</sup>section 32 of the <sup>M2</sup>Charities Act 1992 (restrictions on dispositions of charity land)] where the housing trust is a charity.

#### Textual Amendments

F3 Word substituted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. I para. 2](#)

F4 Words in s. 35(2)(c) substituted (1.1.1993) by [Charities Act 1992 \(c. 41\)](#), s. 78(2), [Sch. 6 para. 13\(3\)](#); S.I. 1992/1900, [art. 2 Sch. 3](#).

#### Marginal Citations

M2 1992 c. 41.

### 36 Housing trusts: functions of Secretary of State with respect to legal proceedings.

- (1) If it appears to the Secretary of State—
  - (a) that the institution of legal proceedings is requisite or desirable with respect to any property belonging to a housing trust, or
  - (b) that the expediting of any such legal proceedings is requisite or desirable,
 he may certify the case to the Attorney-General who may institute legal proceedings or intervene in legal proceedings already instituted in such manner as he thinks proper in the circumstances.

*Status: Point in time view as at 01/01/1993.*

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- (2) Before preparing a scheme with reference to property belonging to a housing trust, the court or body which is responsible for making the scheme shall communicate with the Secretary of State and consider any recommendations made by him with reference to the proposed scheme.

### [<sup>F5</sup>36A Issue of guidance by the Corporation.

- (1) In accordance with the provisions of this section, the Corporation may issue guidance with respect to the management of housing accommodation by registered housing associations and, in considering under the preceding provisions of this Part whether action needs to be taken to secure the proper management of an association's affairs or whether there has been mismanagement, the Corporation may have regard (among other matters) to the extent to which any such guidance is being or has been followed.
- (2) Guidance issued under this section may make different provision in relation to different cases and, in particular, in relation to different areas, different descriptions of housing accommodation and different descriptions of registered housing associations.
- (3) Without prejudice to the generality of subsections (1) and (2), guidance issued under this section may relate to—
  - (a) the housing demands for which provision should be made and the means of meeting those demands;
  - (b) the allocation of housing accommodation between individuals;
  - (c) the terms of tenancies and the principles upon which the levels of rent should be determined;
  - (d) standards of maintenance and repair and the means of achieving these standards; and
  - (e) consultation and communication with tenants.
- (4) Guidance issued under this section may be revised or withdrawn but, before issuing or revising any guidance under this section, the Corporation—
  - (a) shall consult such bodies appearing to it to be representative of housing associations as it considers appropriate; and
  - (b) shall submit a draft of the proposed guidance or, as the case may be, the proposed revision to the Secretary of State for his approval.
- (5) If the Secretary of State gives his approval to a draft submitted to him under subsection (4)(b), the Corporation shall issue the guidance or, as the case may be, the revision concerned in such manner as the Corporation considers appropriate for bringing it to the notice of the housing associations concerned.]

#### Textual Amendments

**F5** S. 36A inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 49

**Status:**

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**Changes to legislation:**

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