

# Housing Associations Act 1985 

## 1985 CHAPTER 69

## Part III

[ ${ }^{\mathrm{F} 1}$ The Housing Corporation $]\left[{ }^{\mathrm{F} 1}\right.$ Social Housing in Wales]

## Textual Amendments

F1 Pt. III heading substituted (E.W.) 1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 45 (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C1 Pt. III (ss. 74-102) excluded (E.W.) (1.10.1996) by 1996 c. 52, s. 7, Sch. 1 para. 15(6); S.I. 1996/2402, art. 3 (subject to transitional provisions and savings in Sch.)

## $I^{F 2}$ Functions of the Welsh Ministers $\boldsymbol{a}$ and other general matters

## Textual Amendments

F2 Words in s. 74 heading substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008
(Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 46 (with art. 6, Sch. 3)

## 74 The [ ${ }^{\mathrm{F} 3}$ Welsh Ministers]

${ }^{[54}(1)$ This Part has effect with respect to the Welsh Ministers.]
${ }^{\mathrm{Fs}}$ (2) $\qquad$
${ }^{\mathrm{F} 6}(3)$ $\qquad$
$I^{\mathrm{F7}}(4)$ The functions in this Part exercisable by the Welsh Ministers may only be exercised in relation to Wales.]

## Textual Amendments

F3 Words in s. 74 heading substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 47(d) (with art. 6, Sch. 3)

F4 S. 74(1) substituted for s. 74(1)(1A) (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 47(a) (with art. 6, Sch. 3)
F5 S. 74(2) repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 2, Sch. 2 (with Sch. 1 para. 12)
F6 S. 74(3) repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 47(b), Sch. 4 (with art. 6, Sch. 3)
F7 S. 74(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 47(c) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C2 S. 74 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6, Sch. para. 3(4)) (see S.I. 2008/3068, art. 2(1)(b))

## $75 \quad\left[{ }^{\mathrm{F8}}\right.$ General functions]

(1) The [ ${ }^{\mathrm{F} 9}$ Welsh Ministers][ ${ }^{\mathrm{F} 10}$ have] the following general functions-
[ ${ }^{\mathrm{F} 11}(\mathrm{a})$ to facilitate the proper performance of the functions of registered social landlords;
(b) to maintain a register of social landlords and to exercise supervision and control over such persons;
(c) to promote and assist the development of self-build societies (other than registered social landlords) and to facilitate the proper performance of the functions, and to publicise the aims and principles, of such societies;]
(d)
(e) to undertake, to such extent as the $\left[{ }^{\mathrm{F} 13}\right.$ Welsh Ministers consider] necessary, the provision (by construction, acquisition, conversion, improvement or otherwise) of dwellings for letting or for sale and of hostels, and the management of dwellings or hostels so provided.

## ${ }^{\mathrm{F} 15}$ (1A) <br> ${ }^{\text {F15 }}$ (1B)

${ }^{\text {F14 }}$ (f)
. . . . . . . . . . . . . . . . . . . . . . . . . . .
$\qquad$
(2) The [ ${ }^{\mathrm{F} 16}$ Welsh Ministers] shall exercise $\left[{ }^{[17}\right.$ their] general functions subject to and in accordance with the provisions of this Act [ ${ }^{\mathrm{F} 18}$ and Part I of the Housing Act 1996].
(3) Subsection (1) is without prejudice to specific functions conferred on the [ ${ }^{\text {F19 }}$ Welsh Ministers] by or under this Act [ ${ }^{\text {F20 }}$ or Part I of the Housing Act 1996].
(4) The [ ${ }^{\text {F21 }}$ Welsh Ministers] may do such things and enter into such transactions as are incidental to or conducive to the exercise of any of [ ${ }^{\mathrm{F} 22}$ their] functions, general or specific, under this Act [ ${ }^{\mathrm{F} 20}$ or Part I of the Housing Act 1996].
${ }^{\mathrm{F} 23}(5)$
${ }^{\text {F24 }}(6)$ $\qquad$

## Textual Amendments

F8 S. 75 heading substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(8) (with art. 6, Sch. 3)

F9 Words in s. 75(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(2)(a) (with art. 6, Sch. 3)
F10 Word in s. 75(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(2)(b) (with art. 6, Sch. 3)
F11 S. 75(1)(a)-(c) substituted (1.10.1996) by 1996 c. 52, s. 55(1), Sch. 3 para. 5; S.I. 1996/2402, art. 3 (with transitional provisions and savings in Sch.)
F12 Ss. 41-51, 75(1)(d) repealed by Housing Act 1988 (c. 50, SIF 61), s. 140(2), Sch. 18
F13 Words in s. 75(1)(e) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(2)(c) (with art. 6, Sch. 3)
F14 S. 75(1)(f) repealed (1.4.2005) by Public Audit (Wales) Act 2004 (c. 23), s. 73, Sch. 2 para. 5(2), Sch. 4; S.I. 2005/558, art. 2, Sch. 1
F15 S. 75(1A)(1B) omitted (1.4.2015) by virtue of Local Audit and Accountability Act 2014 (c. 2), s. 49(1), Sch. 12 para. 14; S.I. 2015/841, art. 3(x)
F16 Words in s. 75(2)-(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(4) (with art. 6, Sch. 3)

F17 Word in s. 75(2) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(5) (with art. 6, Sch. 3)

F18 Words in s. 75(2) inserted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(26)(a)
F19 Words in s. 75(2)-(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(4) (with art. 6, Sch. 3)

F20 Words in s. 75(3)(4) inserted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(26)(b)
F21 Words in s. 75(2)-(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(4) (with art. 6, Sch. 3)

F22 Word in s. 75(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(6) (with art. 6, Sch. 3)

F23 S. 75(5) repealed (2.4.2001) by 2000 c. 34, s. 9(2), Sch. 3 (with s. 10(5)), S.I. 2001/566, art. 2
F24 S. 75(6) repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 48(7), Sch. 4 (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C3 S. 75: transfer of functions (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))

## ${ }^{\text {F25 }} 76$ Directions by the Secretary of State.

## Textual Amendments

F25 S. 76 repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 49, Sch. 4 (with art. 6, Sch. 3)

## 76A Realisation of value of Housing Corporation's loans portfolio.

F26 $\qquad$

## Textual Amendments

F26 S. 76A repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 4, Sch. 2 (with Sch. 1 para. 12)

## 77 Advisory service.

(1) The [ ${ }^{\mathrm{F} 27}$ Welsh Ministers] may provide an advisory service for the purpose of giving advice on legal, architectural and other technical matters to [ ${ }^{\text {F28 }}$ registered social landlords or unregistered housing associations] and to persons who are forming a housing association or are interested in the possibility of doing so.
(2) The [ ${ }^{\mathrm{F} 29}$ Welsh Ministers] may make charges for the service.
[ ${ }^{\text {F30 }}(3)$ The powers conferred on the Welsh Ministers by subsections (1) and (2) may be exercised by the Welsh Ministers acting jointly with the Regulator of Social Housing.]

## Textual Amendments

F27 Words in s. 77(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 50(2) (with art. 6, Sch. 3)

F28 Words in s. 77(1) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(27)
F29 Words in s. 77(2) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 50(2) (with art. 6, Sch. 3)

F30 S. 77(3) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 50(3) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C4 S. 77 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

C5 S. 77: transfer of functions (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))

## ${ }^{\text {F317 }} 78$ Annual report.

## Textual Amendments

F31 S. 78 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 5, Sch. 2 (with Sch. 1 para. 12)

## $I^{F 33}$ Relevant Authority's $]$ powers with respect to grants and loans

## Textual Amendments

F32 Words in Pt. III (ss. 74-102) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 28(a) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

## 79 Lending powers.

$\left[{ }^{\mathrm{F} 33}(1)\right.$ The $\left[{ }^{\mathrm{F} 34}\right.$ Welsh Ministers] may lend to a registered social landlord or an unregistered self-build society ${ }^{\mathbf{F} 35}$... for the purpose of enabling the body to meet the whole or part of expenditure incurred or to be incurred by it in carrying out its objects.
(2) The [ ${ }^{\mathrm{F} 36}$ Welsh Ministers] may lend to an individual for the purpose of enabling him to acquire from-
(a) the $\left[{ }^{\mathrm{F} 37}\right.$ Welsh Ministers $]$, or
(b) [ ${ }^{\mathrm{F} 38} \mathrm{a}$ registered social landlord or an unregistered self-build society, $]$ a legal estate or interest in a dwelling which he intends to occupy.]
(3) A loan under this section may be by way of temporary loan or otherwise, and the terms of a loan made under subsection (1) may include (though the terms of a loan made under subsection (2) may not) terms for preventing repayment of the loan or part of it before a specified date without the consent of the [ ${ }^{539}$ Welsh Ministers].
[ ${ }^{\text {F40 }}(4)$ Subject to that, the terms of a loan under this section shall be such as the Welsh Ministers determine either generally or in a particular case.]

## Textual Amendments

F33 S. 79(1)(2) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 35(2) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

F34 Words in s. 79(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(2)(a) (with art. 6, Sch. 3)
F35 Words in s. 79(1) repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(2)(b), Sch. 4 (with art. 6, Sch. 3)
F36 Words in s. 79(2) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(3)(a) (with art. 6, Sch. 3)
F37 Words in s. 79(2)(a) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(3)(b) (with art. 6, Sch. 3)
F38 S. 79(2)(b) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(3)(c) (with art. 6, Sch. 3)

F39 Words in s. 79(3) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(4) (with art. 6, Sch. 3)

F40 S. 79(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 51(5) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C6 S. 79: transfer of functions (E.W.) (1.12.2008 for specified purposes) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))
C7 S. 79 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

## 80 Security for loans to unregistered self-build societies.

(1) Where the [ ${ }^{\text {F41 }}$ Welsh Ministers]-
(a) [ ${ }^{\text {F42 }}$ make] a loan to an unregistered self-build society under section 79(1); and
(b) under a mortgage ${ }^{543} \ldots$ entered into by the society to secure the loan $\left[{ }^{[44}\right.$ have] an interest as mortgagee or creditor in land belonging to the society, [ ${ }^{\mathrm{F} 5}$ they may] ${ }^{\mathrm{F46}} \ldots$. give the society directions with respect to the disposal of the land.
(2) The society shall comply with directions so given so long as the [ ${ }^{\text {F47 }}$ Welsh Ministers continue] to have such an interest in the land.
(3) Directions so given may be varied or revoked by subsequent directions ${ }^{\text {F48 }} \ldots$. .
(4) [ ${ }^{\mathrm{F50}} \mathrm{The}$ Welsh Ministers shall not give directions under this section requiring a society to transfer its interest in land to them or any other person unless they are satisfied] that arrangements have been made which will secure that the members of the society receive fair treatment in connection with the transfer.

## Textual Amendments

F41 Words in s. 80(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(2)(a) (with art. 6, Sch. 3)
F42 Word in s. 80(1)(a) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(2)(b) (with art. 6, Sch. 3)
F43 Words in s. 80(1)(b) repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(2)(c)(i), Sch. 4 (with art. 6, Sch. 3)
F44 Word in s. 80(1)(b) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(2)(c)(ii) (with art. 6, Sch. 3)
F45 Words in s. 80(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(2)(d) (with art. 6, Sch. 3)

F46 Words in s. 80(1) repealed (1.11.1998) by 1998 c. 38 , ss. 140, 152, Sch. 16 para. 36(2), Sch. 18 Pt. VI (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, art. 5
F47 Words in s. 80(2) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(3) (with art. 6, Sch. 3)

F48 Words in s. 80(3) repealed (1.11.1998) by 1998 c. 38, ss. 140, 152, Sch. 16 para. 36(3), Sch. 18 Pt. VI (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, art. 5
F49 S. 80(3A) repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(4), Sch. 4 (with art. 6, Sch. 3)
F50 Words in s. 80(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 52(5) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C8 S. 80: transfer of functions (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))
C9 S. 80 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

## 81 Further advances in case of disposal on shared ownership lease.

Where-
(a) a lease of a dwelling, granted otherwise than in pursuance of the provisions of Part V of the ${ }^{\text {M1 }}$ Housing Act 1985 (the right to buy) relating to shared ownership leases, contains a provision to the like effect as that required by paragraph 1 of Schedule 8 to that Act (terms of shared ownership lease: right of tenant to acquire additional shares), and
(b) the [ ${ }^{\text {F51 }}$ Welsh Ministers have], in exercise of any of [ ${ }^{[52}$ their] powers, left outstanding or advanced any amount on the security of the dwelling, that power includes power to advance further amounts for the purpose of assisting the tenant to make payments in pursuance of that provision.

## Textual Amendments

F51 Words in s. 81(b) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 53(a) (with art. 6, Sch. 3)
F52 Word in s. 81(b) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 53(b) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C10 S. 81 modified (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))
C11 S. 81: transfer of functions (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2(see S.I. 2008/3068, art. 2(1)(b))

## Marginal Citations <br> M1 1985 c. 68.

## 82 <br> Loans made under s. 2 of the Housing Act 1964.

Schedule 7 (further powers of [ ${ }^{\mathrm{F} 53}$ Relevant Authority] with respect to land of certain housing associations) applies where a loan has been made to a housing association under section 2 of the ${ }^{\mathbf{M 2}}$ Housing Act 1964 and the loan has not been repaid.

## Textual Amendments

F53 Words in Pt. III (ss. 74-102) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 28(a) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

## Marginal Citations

M2 $\quad 1964$ c. 56.

## 83 Power to guarantee loans.

[ ${ }^{\text {F54 }}(1)$ The Welsh Ministers may guarantee the repayment of the principal of, and the payment of interest on, sums borrowed by registered social landlords or unregistered self-build societies.
(2) A guarantee may be subject to terms and conditions.]
[ ${ }^{\text {F55 }}(3 \mathrm{~A})$ The aggregate amount outstanding in respect of -
(a) loans for $\left[{ }^{[56}\right.$ which the Welsh Ministers (or National Assembly for Wales, Secretary of State or Housing for Wales) have] given a guarantee under this section, and
(b) payments made $\left[{ }^{[57}\right.$ by the Welsh Ministers (or National Assembly for Wales, Secretary of State or Housing for Wales) in] meeting an obligation arising by virtue of such a guarantee and not repaid [ ${ }^{558}$ to the Welsh Ministers (or National Assembly for Wales, Secretary of State or Housing for Wales)], shall not exceed $£ 30$ million or such greater sum not exceeding $£ 50$ million [ ${ }^{\text {F59 }}$ as the Welsh Ministers may specify by order].]
[ ${ }^{\mathrm{F} 60}(4) \mathrm{An}$ order under subsection (3A)-
(a) shall be made by statutory instrument, and
(b) shall not be made unless, a draft of the order has been laid before, and approved by a resolution of, the National Assembly for Wales.]

## Textual Amendments

F54 S. 83(1)(2) substituted for s. 83(1)-(3) (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(2) (with art. 6, Sch. 3)

F55 S. 83(3A) inserted by Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), Sch. 6 Pt. III para. 34(2)
F56 Words in s. 83(3A)(a) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(3)(a) (with art. 6, Sch. 3)

F57 Words in s. 83(3A)(b) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(3)(b)(i) (with art. 6, Sch. 3)
F58 Words in s. 83(3A)(b) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(3)(b)(ii) (with art. 6, Sch. 3)
F59 Words in s. 83(3A) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(3)(c) (with art. 6, Sch. 3)
F60 S. 83(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 54(4) (with art. 6, Sch. 3)

## Modifications etc. (not altering text)

C12 S. 83 modified (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 3, Sch. para. 3 (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

C13 S. 83: transfer of functions (E.W.) (1.12.2008 for specified purposes) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))

## $84 \quad\left[{ }^{\mathrm{F} 61}\right.$ Agreements to indemnify certain lenders]

(1) The [ ${ }^{\mathrm{F} 62}$ Welsh Ministers] may ${ }^{\mathrm{F} 63}$. . . enter into an agreement with-
(a) a building society lending on the security of a house, or
(b) a recognised body making a relevant advance on the security of a house, whereby, in the event of default by the mortgagor, and in circumstances and subject to conditions specified in the agreement, the [ ${ }^{\mathrm{F} 62}$ Welsh Ministers][ ${ }^{\mathrm{F} 64}$ bind themselves] to indemnify the society or body in respect of the whole or part of the mortgagor's outstanding indebtedness and any loss or expense falling on the society or body in consequence of the mortgagor's default.
(2) The agreement may also, if the mortgagor is made party to it, enable or require the [ ${ }^{\mathrm{F} 62}$ Welsh Ministers] in specified circumstances to take a transfer of the mortgage and assume rights and liabilities under it, the building society or recognised body being then discharged in respect of them.
(3) The transfer may be made to take effect-
(a) on terms provided for by the agreement (including terms involving substitution of a new mortgage agreement or modification of the existing one), and
(b) so that the [ ${ }^{\mathrm{F} 62}$ Welsh Ministers] $\left[{ }^{\mathrm{F} 65}\right.$ are] treated as acquiring (for and in relation to the purposes of the mortgage) the benefit and burden of all preceding acts, omissions and events.
${ }^{\text {F66 }}$ (4) $\qquad$
(5) [ ${ }^{\mathrm{F} 67}$ The Welsh Ministers shall, before entering into an agreement in a form about which they have not] previously consulted under this subsection, consult-
(a) in the case of a form of agreement with a building society, [ ${ }^{\mathrm{F} 68}$ the Financial Conduct Authority, the Prudential Regulation Authority] and such organisations representative of building societies and local authorities as [ ${ }^{\mathrm{FF} 9}$ they think] expedient, and
(b) in the case of a form of agreement with a recognised body, such organisations representative of such bodies and local authorities as [ ${ }^{\mathrm{F} 9}$ they think] expedient.

$$
{ }^{F 70}(6)
$$

## Textual Amendments

F61 S. 84 heading substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(7) (with Sch. 1 para. 12)
F62 Words in s. 84 substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(2) (with Sch. 1 para. 12)
F63 Words in s. 84(1) repealed (1.11.1998) by 1998 c. 38, ss. 140, 152, Sch. 16 para. 38(2), Sch. 18 Pt. VI (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, art. 5
F64 Words in s. 84(1) substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(3) (with Sch. 1 para. 12)
F65 Word in s. 84(3)(b) substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(4) (with Sch. 1 para. 12)
F66 S. 84(4) repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(5), Sch. 2 (with Sch. 1 para. 12)
F67 Words in s. 84(5) substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(6)(a) (with Sch. 1 para. 12)
F68 Words in s. 84(5)(a) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 11 para. 1(2) (with Sch. 12)
F69 Words in s. 84(5)(a)(b) substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 6(6)(b) (with Sch. 1 para. 12)

F70 S. 84(6) repealed (1.3.2000) by S.I. 2000/311, art. 16

## Modifications etc. (not altering text)

C14 Ss. 84(5)(b), 85(41) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), Sch. 13 paras. 22, 23 as substituted by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), s. 4, Sch. 2 para. 61
Ss. 84(5)(b), 85(4) extended (5.7.1994) by 1994 c. 19, s. 39, Sch. 13 para. 20(l) (with ss. 54(4)(7), $55(5)$, Sch. 17 paras. 22(1), 23(2))
Ss. 84(5)(b), 85(4) modified (1.4.1995) by S.I. 1995/401, art. 18, Sch. para. 9

## 85 Meaning of "recognised body" and "relevant advance".

(1) The expressions "recognised body" and "relevant advance" in section 84 (agreements to indemnify certain lenders) shall be construed in accordance with the following provisions.
(2) A "recognised body" means a body specified, or of a class or description specified, in an order made by statutory instrument by the $\left[{ }^{[771} \text { Welsh Ministers }\right]^{\mathrm{F72}}$. . ..
(3) Before making such an order varying or revoking an order previously made, the [ ${ }^{\text {F71 }}$ Welsh Ministers] shall give an opportunity for representations to be made on behalf of a recognised body which, if the order were made, would cease to be such a body.
(4) A "relevant advance" means an advance made to a person whose interest in the dwelling is or was acquired by virtue of a conveyance of the freehold or an assignment of a long lease, or a grant of a long lease by-
a local authority, a new town corporation,
[ ${ }^{\text {F73 }}$ the Welsh Ministers so far as they are or were exercising functions in relation to property transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981,] an urban development corporation,
F74. .
F75

a [ ${ }^{\text {F76 }}$ registered social landlord].[ ${ }^{\text {F77 }}$ or an advance made to such a person by the [ ${ }^{\text {F71 }}$ Welsh Ministers] if the conveyance, assignment or grant was made under section 90.]
(5) In subsection (4) "long lease" has the same meaning as in Part V of the ${ }^{\text {M3 }}$ Housing Act 1985 (the right to buy).

## Textual Amendments

F71 Words in s. 85(2)(3)(4) substituted (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 7(2) (with Sch. 1 para. 12)

F72 Words in s. 85(2) repealed (1.10.1996) by 1996 c. 52, ss. 222, 227, Sch. 18 Pt. IV para. 22(1)(d), Sch. 19 Pt. XIII; S.I. 1996/2402, art. 3 (subject to transitional provisions and savings in Sch.)
F73 Words in s. 85(4) inserted (1.12.2008) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2008 (S.I. 2008/3002), art. 1(2), Sch. 1 para. 34 (with Sch. 2) (see S.I. 2008/3068, art. 2(1)(b))
F74 Words in s. 85(4) repealed (1.11.1998) by 1998 c. 38, s. 152, Sch. 18 Pt. IV (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, art. 5
F75 Words in s. 85(4) omitted (1.4.2009) by virtue of The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 7(3), Sch. 2 (with Sch. 1 para. 12)

F76 Words in s. 85(4) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(30)
F77 Words in s. 85(4) inserted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 39(b) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

Modifications etc. (not altering text)
C15 Ss. 84(5)(b), 85(4) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), Sch. 13 paras. 22, 23 as substituted by Housing (Consequential Provisions) Act 1985 (c.71, SIF 61), s. 4, Sch. 2 para. 61
Ss. 84(5)(b), 85(4) extended (5.7.1994) by 1994 c. 19, s. 39, Sch. 13 para. 20(l) (with ss. 54(4)(7), 55(5), Sch. 17 paras. 22(1), 23(2))
Ss. 84(5)(b), 85(4) modified (1.4.1995) by S.I. 1995/401, art. 18, Sch. para. 9
C16 S. 85(4) explained by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 5(1), Sch. 3 para. 5(3)

## Marginal Citations

M3 1985 с. 68.

## 86 Agreements to indemnify building societies: Scotland.

(1) [ ${ }^{\mathrm{F} 78}$ Scottish Homes] may, with the approval of the Secretary of State, enter into an agreement with a building society [ ${ }^{\mathrm{F79}}$ or recognised body] under which $\left[{ }^{\mathrm{F78}}\right.$ Scottish Homes] binds itself to indemnify the building society [ ${ }^{\mathrm{F} 79}$ or recognised body] in respect of-
(a) the whole or part of any outstanding indebtedness of a borrower; and
(b) loss or expense to the building society [ ${ }^{\mathrm{F} 79}$ or recognised body] resulting from the failure of the borrower duly to perform any obligation imposed on him by [ ${ }^{\mathrm{F} 80} \mathrm{a}$ ] heritable security.
(2) The agreement may also, where the borrower is made party to it, enable or require $\left[{ }^{\mathrm{F78}}\right.$ Scottish Homes] in specified circumstances to take an assignation of the rights and liabilities of the building society [ ${ }^{\mathrm{F} 81}$ or recognised body] under the heritable security.
(3) Approval of the Secretary of State under subsection (1) may be given generally in relation to agreements which satisfy specified requirements, or in relation to individual agreements, and with or without conditions, as he thinks fit, and such approval may be withdrawn at any time on one month's notice.
(4) Before issuing any general approval under subsection (1) the Secretary of State shall consult with such bodies as appear to him to be representative of islands and district councils, and of building societies, and also with [ ${ }^{\text {F78 }}$ Scottish Homes] and with [ ${ }^{\text {F82 }}$ the Financial Conduct Authority and the Prudential Regulation Authority].
${ }^{\mathrm{F} 83}$ (5)
[ ${ }^{\text {F84 }}(6)$ In this section, "recognised body" means a body designated, or of a class or description designated, in an order made under this subsection by statutory instrument by the Secretary of State with the consent of the Treasury.
(7) Before making an order under subsection (6) above varying or revoking an order previously so made, the Secretary of State shall give an opportunity for representations to be made on behalf of a recognised body which, if the order were made, would cease to be such a body.]

## Textual Amendments

F78 Words in s. 86(1)(2)(4) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(6)
F79 Words inserted by Housing (Scotland) Act 1986 (c. 65, SIF 61), s. 25(1), Sch. 2 para. 4(6)(a)(i)
F80 "a" substituted by Housing (Scotland) Act 1986 (c. 65, SIF 61), s. 25(1), Sch. 2 para. 4(6)(a)(ii)
F81 Words inserted by Housing (Scotland) Act 1986 (c. 65, SIF 61), s. 25(1), Sch. 2 para. 4(6)(b)
F82 Words in s. 86(4) substituted (1.4.2013) by The Financial Services Act 2012 (Mutual Societies) Order 2013 (S.I. 2013/496), art. 1(1), Sch. 11 para. 1(3) (with Sch. 12)
F83 S. 86(5) repealed (1.3.2000) by S.I. 2000/311, art. 16
F84 S. 86(6)(7) added by Housing (Scotland) Act 1986 (c. 65, SIF 61), s. 25(1), Sch. 2 para. 4(6)(d)

## [ ${ }^{\mathrm{F} 85} 87$ Financial assistance with respect to formation, management, etc. of certain housing associations.

[ The [ ${ }^{\text {F87 }}$ Welsh Ministers] may give financial assistance to any person to facilitate the
${ }^{\text {F86 }}$ (1) proper performance of the functions of registered social landlords or co-operative housing associations.]
(2) Assistance under this section may be in the form of grants, loans, guarantees or incurring expenditure for the benefit of the person assisted or in such other way as the [ ${ }^{\mathrm{F} 88}$ Welsh Ministers consider appropriate, except that they] may not, in giving any form of financial assistance [ ${ }^{\mathbf{F 8 9}}$ under this section], purchase loan or share capital in a company.
(3) With respect to financial assistance under this section, the following-
(a) the procedure to be followed in relation to applications for assistance,
(b) the circumstances in which assistance is or is not to be given,
(c) the method for calculating, and any limitations on, the amount of assistance, and
(d) the manner in which, and the time or times at which, assistance is to be given, shall be such as may be specified by the $\left[{ }^{\mathrm{F} 90}\right.$ Welsh Ministers] ${ }^{\mathrm{F9}} \ldots$.
(4) In giving assistance under this section, the [ ${ }^{\mathrm{F} 92}$ Welsh Ministers] may provide that the assistance is conditional upon compliance by the person to whom the assistance is given with such conditions as [ ${ }^{\mathrm{F} 93}$ they] may specify.
(5) Where assistance under this section is given in the form of a grant, subsections (1), (2) and (7) to (9) of section 52 of the Housing Act 1988 (recovery, etc. of grants) shall apply as they apply in relation to a grant to which that section applies, but with the substitution, for any reference in those subsections to the [ ${ }^{\mathrm{F} 94}$ registered][ ${ }^{\mathrm{F} 95}$ relevant housing association] to which the grant has been given, of a reference to the person to whom assistance is given under this section.
${ }^{\mathbf{F 9 6}}$ (6) . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .]

## Extent Information

E1 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

## Textual Amendments

F85 S. 87 substituted by Local Government and Housing Act 1989 (c. 42 SIF 61), s. 183
F86 S. 87(1) substituted (1.10.1996) by 1996 c. 52, s. 55(1), Sch. 3 para. 7; S.I. 1996/2402 art. 3 (with transitional provisions and savings in Sch.)
F87 Words in s. 87(1) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(2) (with art. 6, Sch. 3)

F88 Words in s. 87(2) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(3) (with art. 6, Sch. 3)

F89 Words in s. 87(2) inserted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 40 (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5
F90 Words in s. 87(3) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(4) (with art. 6, Sch. 3)

F91 Words in s. 87(3) repealed (18.1.2005) by Housing Act 2004 (c. 34), s. 270(3)(b), Sch. 11 para. 1(a), Sch. 16
F92 Words in s. 87(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(5)(a) (with art. 6, Sch. 3)
F93 Word in s. 87(4) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(5)(b) (with art. 6, Sch. 3)
F94 Word in s. 87(5) repealed (1.10.1996) by S.I. 1996/2325, art. 4(1), Sch. 1 Pt. I (with art. 4(2)(3))
F95 Words in s. 87(5) substituted (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 2 para. 55(6) (with art. 6, Sch. 3)

F96 S. 87(6) repealed (18.1.2005) by Housing Act 2004 (c. 34), s. 270(3)(c), Sch. 11 para. 1(b), Sch. 16

## Modifications etc. (not altering text)

C17 S. 87: transfer of functions (E.W.) (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))

## ${ }^{\text {F97 }}$ Relevant Authority's $]$ powers with respect to land and works

## Textual Amendments

F97 Words in Pt. III (ss. 74-102) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 28(b) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

## 88 Acquisition of land.

(1) The [ ${ }^{\text {F98 }}$ Welsh Ministers] may acquire land by agreement for the purpose of-
(a) selling or leasing it to a [ ${ }^{\mathrm{F99}}$ registered social landlord] or an unregistered selfbuild society, or
(b) providing dwellings (for letting or for sale) or hostels, [ ${ }^{\text {F100 }}$ and the Welsh Ministers may acquire land compulsorily for any such purpose.]
(2) Land may be so acquired by the [ $\left[{ }^{\mathrm{F} 101}\right.$ Welsh Ministers] notwithstanding that it is not immediately required for any such purpose.
[ ${ }^{\text {F102 }}$ (3) The Acquisition of Land Act 1981 applies to the compulsory purchase of land under this section.]

F103(4)
${ }^{F 103}$ (5)

## Textual Amendments

F98 Words in s. 88(1) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 8(2)(a) (with Sch. 1 para. 12)

F99 Words in s. 88(1) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(31)
F100 Words in s. 88(1) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 8(2)(b) (with Sch. 1 para. 12)

F101 Words in s. 88(2) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 8(3) (with Sch. 1 para. 12)

F102 S. 88(3) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 8(4) (with Sch. 1 para. 12)
F103 S. 88(4)(5) repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 8(5), Sch. 2 (with Sch. 1 para. 12)

## 89 Provision of dwellings or hostels and clearance, management and development of land.

(1) The [ ${ }^{\mathrm{F} 104}$ Welsh Ministers] may provide or improve dwellings or hostels on land belonging [ ${ }^{\mathbf{F} 105}$ to them].
(2) The [ ${ }^{\mathrm{F} 104}$ Welsh Ministers] may clear land belonging [ ${ }^{\mathrm{F} 105}$ to them] and carry out other work on the land to prepare it as a building site or estate, including-
(a) the laying out and construction of streets or roads and open spaces, and
(b) the provision of sewerage facilities and supplies of gas, electricity and water.
(3) The [ ${ }^{\text {F104 }}$ Welsh Ministers] may repair, maintain and insure buildings or works on land belonging [ ${ }^{\mathrm{F} 105}$ to them], may generally deal in the proper course of management with such land and buildings or works on it, and may charge for the tenancy or occupation of such land, buildings or works.
(4) The [ ${ }^{\text {F104 }}$ Welsh Ministers] may carry out such operations on, and do such other things in relation to, land belonging [ ${ }^{\mathrm{F} 105}$ to them] as appear [ ${ }^{\mathrm{F} 105}$ to them] to be conducive to facilitating the provision or improvement of dwellings or hostels on the land-
(a) by the [ ${ }^{\text {F104 }}$ Welsh Ministers] [ ${ }^{\text {F106 }}$ themselves], or
(b) by a [ ${ }^{\text {F107 }}$ registered social landlord] or unregistered self-build society.
(5) In the exercise of [ ${ }^{\mathrm{F} 108}$ their] powers under subsection (4) the [ ${ }^{\mathrm{F} 104}$ Welsh Ministers] may carry out any development ancillary to or in connection with the provision of dwellings or hostels, including development which makes provision for buildings or land to be used for commercial, recreational or other non-domestic purposes.

## Textual Amendments

F104 Words in s. 89 substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 9(2) (with Sch. 1 para. 12)

F105 Words in s. 89 substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 9(3) (with Sch. 1 para. 12)

F106 Word in s. 89(4)(a) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 9(4) (with Sch. 1 para. 12)
F107 Words in s. 89(4)(b) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. para. 15(32)
F108 Word in s. 89(5) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 9(5) (with Sch. 1 para. 12)

## $90 \quad$ Disposal of land.

(1) The [ ${ }^{\mathrm{F} 109}$ Welsh Ministers] may dispose of land in respect of which [ ${ }^{\mathrm{F} 110}$ they have] not exercised [ ${ }^{\text {F111 }}$ their powers] under section $89(1)$ (provision or improvement of dwellings or hostels) and on which [ ${ }^{\text {F110 }}$ they have] not carried out any such development as is mentioned in section $89(5)$ [ ${ }^{\text {F112 }}$ (ancillary development) to a registered social landlord or an unregistered self-build society ${ }^{\text {F113 }} \ldots$..]
(2) The [ ${ }^{\text {F114 }}$ Welsh Ministers] may dispose of land on which dwellings or hostels have been provided or improved in exercise of [ ${ }^{\text {F115 }}$ their powers] under section 89 toa [ ${ }^{\text {F116 }}$ registered social landlord],
a local authority,
a new town corporation $\left[{ }^{\text {F117 }}\right.$, or
Scottish Homes;
F118
. .]
[ ${ }^{\text {F119 }}(3)$ The Welsh Ministers may sell or lease individual dwellings to persons for those persons to occupy.]
[ ${ }^{\text {F119 }}(4)$ The Welsh Ministers may dispose of a building or land intended for use for commercial, recreational or other non-domestic purposes in respect of which development has been carried out by virtue of section 89.]
[ ${ }^{\text {F119 }}(5)$ The Welsh Ministers may dispose of land which is not required for the purposes for which it was acquired.]

## Textual Amendments

F109 Words in s. 90(1) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(2)(a) (with Sch. 1 para. 12)

F110 Words in s. 90(1) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(2)(b) (with Sch. 1 para. 12)

F111 Words in s. 90(1) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(2)(c) (with Sch. 1 para. 12)

F112 Words in s. 90(1) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 42(2) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5
F113 Words in s. 90(1) omitted (E.W.) (1.4.2009) by virtue of The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(2)(d) (with Sch. 1 para. 12)
F114 Words in s. 90(2) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(3)(a) (with Sch. 1 para. 12)

F115 Words in s. 90(2) substituted (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(3)(b) (with Sch. 1 para. 12)

F116 Words in s. 90(2) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 15(33)
F117 Words in s. 90(2) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 42(3) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5
F118 Words in s. 90(2) omitted (E.W.) (1.4.2009) by virtue of The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(3)(c), Sch. 2 (with Sch. 1 para. 12)
F119 S.90(3)-(5) substituted for s. 90(3)-(6) (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 10(4) (with Sch. 1 para. 12)

## ${ }^{\text {F120 }} 91$ Protection of persons deriving title under transactions requiring consent.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## The [FI2I Relevant Authority's] finances

## Textual Amendments

F121 Words in Pt. III (ss. 74-102) substituted (1.11.1998) by 1998 c. 38, s. 140, Sch. 16 para. 28(b) (with ss. 139(2), 143(2)); S.I. 1998/2244, art. 5

## ${ }^{\mathrm{F} 120} 92$ Borrowing powers.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)
${ }^{\text {F120 }} 93$ Limit on borrowing.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)
${ }^{\text {F120 }} 94$ Treasury guarantees of borrowing.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## ${ }^{\text {F120 }} 95$ Grants to the Housing Corporation.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)
${ }^{\text {F120 }} 96$ General financial provisions.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## ${ }^{\text {F120 }} 97$ Accounts and audit.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## Acquisition of securities and control of subsidiaries

${ }^{\text {F120 }} 98$ Acquisition of securities and promotion of body corporate.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## ${ }^{\text {F120 }} 99$ Control of subsidiaries.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)

## Supplementary provisions

##  Scotland.

## Textual Amendments

F120 Ss. 91-100 repealed (E.W.) (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), art. 1(3), Sch. 1 para. 11, Sch. 2 (with Sch. 1 para. 12)
F122 S. 100 repealed (S.) by Housing (Scotland) Act 1986 (c. 65, SIF 61), s. 25(2),Sch. 3

## 101 Minor definitions.

In this Part-
[ ${ }^{\text {F123"،building society" means a building society within the meaning of the }}$ Building Societies Act 1986;]
"financial year" means the period of 12 months ending with the 31st March; "highway", in relation to Scotland, includes a public right of way;
"subsidiary" has the meaning given by [ ${ }^{\text {F124 }}$ section 1159 of the Companies Act 2006] .

## Textual Amendments

F123 Definition substituted by Building Societies Act 1986 (c. 53, SIF 16), ss. 54(3)(a)(5), 120(1), Sch. 18 Pt. I para. 19(4)
F124 Words in s. 101 substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), Sch. 1 para. 63(2) (with art. 10)

## 102 Index of defined expressions: Part III. E+W

The following Table shows provisions defining or explaining expressions used in this Part (other than provisions defining or explaining an expression in the same section or paragraph):-

| building society | section 101 |
| :--- | :--- |
| F125 | F125 |
| $\ldots$ | $\cdots$ |
| [ $^{\text {F126 }}$ co-operative housing association | section 1] |
| dwelling | section 106 |
| financial year | section 101 |
| heritable security | section 106 |
| highway (in relation to Scotland) | section 101 |
| hostel | section 106 |
| housing association | section 1(1) |
| local authority | section 106 |
| local housing authority | section 104 |
| new town corporation | section 106 |
| recognised body | section 85(2) |
| [ ${ }^{\text {F127 }}$ registered social landlord | section 2B] |
| relevant advance | section 85(4) |
| self-build society | section 1(3) |
| subsidiary | section 101 |
| [ ${ }^{\text {F12 }}$ unregistered (in relation to a housing | section 2B] |
| association) |  |
| urban development corporation | section 106 |

## Extent Information

E2 This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

## Textual Amendments

F125 S. 102 entry omitted (1.10.2009) by virtue of The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), Sch. 1 para. 63(3) (with art. 10)
F126 S. 102: definition inserted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 34(a)
F127 S. 102: definition substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 34(b)
F128 S. 102: definition substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), Sch. 2 para. 34(c)

## 102 Index of defined expressions: Part III. S

The following Table shows provisions defining or explaining expressions used in this Part (other than provisions defining or explaining an expression in the same section or paragraph):-

| building society | section 101 |
| :--- | :--- |
| F125 | F125 |
| $\ldots$ | $\ldots$ |
| dwelling | section 106 |
| financial year | section 101 |
| heritable security | section 106 |
| highway (in relation to Scotland) | section 101 |
| hostel | section 106 |
| housing association | section 1(1) |
| local authority | section 106 |
| local housing authority | section 104 |
| new town corporation | section 106 |
| recognised body | section 85(2) |
| registered (in relation to a housing <br> association) | section 3(2) |
| relevant advance | section 85(4) |
| self-build society | section 1(3) |
| subsidiary | section 101 |
| unregistered (in relation to a housing <br> association) | section 3(2) |
| urban development corporation | section 106 |

## Extent Information

E3 This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

## Textual Amendments

F125 S. 102 entry omitted (1.10.2009) by virtue of The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order 2009 (S.I. 2009/1941), art. 1(2), Sch. 1 para. 63(3) (with art. 10)

## Changes to legislation:

There are currently no known outstanding effects for the Housing Associations Act 1985, Part III.

