



Housing Associations Act 1985

1985 CHAPTER 69

PART I

REGULATION OF HOUSING ASSOCIATIONS

Inquiries into affairs of housing associations

31 Exercise of powers under ss. 28 to 30 in relation to registered charities

- (1) The Housing Corporation may exercise its powers under sections 28 to 30 (inquiry, audit, &c.) in relation to an association which is a registered charity only if the association has, at any time before the powers are exercised, received a grant or loan under—
- section 41 (housing association grants),
 - section 54 or 55 (revenue deficit grants or hostel deficit grants),
 - section 58(2) (grants or loans by local authorities),
 - section 79 (loans by Housing Corporation),
 - section 31 of the Housing Act 1974 (management grants), or
 - any enactments mentioned in paragraph 2 or 3 of Schedule 1 (pre-1974 grants and certain loans).
- (2) In relation to such an association sections 28 to 30 have effect with the following adaptations—
- (a) references to an officer, agent or member, or to a member of the committee, include a trustee of the association;
 - (b) references to the association's business are confined to its housing activities;
 - (c) references to the association's accounts do not include revenue accounts which do not relate to its housing activities, except so far as such accounts are necessary for the auditing of revenue accounts which do so relate or of the association's balance sheet;

Status: This is the original version (as it was originally enacted).

- (d) a person is a qualified auditor for the purposes of section 29 (extraordinary audit) only if he is an auditor qualified for the purposes of paragraph 3 of Schedule 3.
- (3) In relation to such an association the powers conferred on the Corporation by—
section 28(1) (appointment of person to inquire into association's affairs), and
section 30(1)(a) and (b) (removal of person in connection with misconduct or mismanagement and suspension with a view to removal),
are exercisable only after consultation with the Charity Commissioners.