



Housing Act 1988

1988 CHAPTER 50

PART III

HOUSING ACTION TRUST AREAS

Vesting and acquisition of land

77 Acquisition by housing action trust.

- (1) For the purposes of achieving its objects (and performing any of its functions), a housing action trust may acquire land within its designated area by agreement or, on being authorised to do so by the Secretary of State, compulsorily.
- (2) A housing action trust may acquire (by agreement or, on being authorised to do so by the Secretary of State, compulsorily)—
 - (a) land adjacent to the designated area which the trust requires for purposes connected with the discharge of its functions in the area; and
 - (b) land outside the designated area (whether or not adjacent to it) which the trust requires for the provision of services in connection with the discharge of its functions in the area.
- (3) Where a housing action trust exercises its powers under subsection (1) or subsection (2) above in relation to land which forms part of a common or open space or fuel or field garden allotment, the trust may acquire (by agreement or, on being authorised to do so by the Secretary of State, compulsorily) land for giving in exchange for the land acquired.
- (4) Subject to section 78 below, the ^{M1}Acquisition of Land Act 1981 shall apply in relation to the compulsory acquisition of land in pursuance of the preceding provisions of this section.
- (5) A housing action trust may be authorised by the Secretary of State, by means of a compulsory purchase order, to purchase compulsorily such new rights as are specified in the order—

Changes to legislation: Housing Act 1988, Section 77 is up to date with all changes known to be in force on or before 17 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) being rights over land in the designated area and which the trust requires for the purposes of its functions;
 - (b) being rights over land adjacent to the designated area and which the trust requires for purposes connected with the discharge of its functions in the area; and
 - (c) being rights over land outside the designated area (whether or not adjacent to it) and which the trust requires for the provision of services in connection with the discharge of its functions in the area.
- (6) In subsection (5) above—
- (a) “new rights” means rights which are not in existence when the order specifying them is made; and
 - (b) “compulsory purchase order” has the same meaning as in the Acquisition of Land Act 1981;
- and Schedule 3 to that Act shall apply to a compulsory purchase of a right by virtue of subsection (5) above.
- (7) The provisions of Part I of the ^{M2}Compulsory Purchase Act 1965 (so far as applicable), other than section 31, shall apply in relation to the acquisition of land by agreement under this section; and in that Part as so applied “land” has the meaning given by the ^{M3}Interpretation Act 1978.

Marginal Citations

- M1** 1981 c. 67.
M2 1965 c. 56.
M3 1978 c. 30.

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)