



Housing Act 2004

2004 CHAPTER 34

PART 7

SUPPLEMENTARY AND FINAL PROVISIONS

Other supplementary provisions

250 Orders and regulations

- (1) Any power of the Secretary of State or the National Assembly for Wales to make an order or regulations under this Act is exercisable by statutory instrument.
- (2) Any power of the Secretary of State or the National Assembly for Wales to make an order or regulations under this Act—
 - (a) may be exercised so as to make different provision for different cases or descriptions of case or different purposes or areas; and
 - (b) includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Secretary of State or (as the case may be) the National Assembly for Wales considers appropriate.
- (3) The Secretary of State must consult the National Assembly for Wales before making any regulations under Part 5 which relate to residential properties in Wales.
- (4) Subject to subsections (5) and (6), any order or regulations made by the Secretary of State under this Act are to be subject to annulment in pursuance of a resolution of either House of Parliament.
- (5) Subsection (4) does not apply to any order under section 270 or paragraph 3 of Schedule 10.
- (6) Subsection (4) also does not apply to—
 - (a) any order under section 55(3) which makes the provision authorised by section 55(4),
 - (b) any order under section 80(5) or (7),

Status: Point in time view as at 06/04/2006.

Changes to legislation: Housing Act 2004, Cross Heading: Other supplementary provisions is up to date with all changes known to be in force on or before 02 June 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)

- (c) any order under section 216 or 229(3),
- (d) any order under section 265(2) which modifies any provision of an Act,
- (e) any regulations under section 254(6),
- (f) any regulations under paragraph 3 of Schedule 4 or orders under paragraph 11 of Schedule 10, or
- (g) any regulations made by virtue of paragraph 11(3)(b) or 12(3)(b) of Schedule 13;

and no such order or regulations may be made by the Secretary of State (whether alone or with other provisions) unless a draft of the statutory instrument containing the order or regulations has been laid before, and approved by a resolution of, each House of Parliament.

- (7) In this Act “modify”, in the context of a power to modify an enactment by order or regulations, includes repeal (and “modifications” has a corresponding meaning).

251 Offences by bodies corporate

- (1) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) a director, manager, secretary or other similar officer of the body corporate, or
 - (b) a person purporting to act in such a capacity,
- he as well as the body corporate commits the offence and is liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

252 Power to up-rate level of fines for certain offences

- (1) Subsection (2) applies if the Secretary of State considers that there has been a change in the value of money since the relevant date.
- (2) The Secretary of State may by order substitute for the sum or sums for the time being specified in any provision mentioned in subsection (3) such other sum or sums as he considers to be justified by the change.
- (3) The provisions are—
- (a) section 32(2)(b);
 - (b) section 35(6);
 - (c) section 72(6); and
 - (d) section 95(5).
- (4) In subsection (1) “the relevant date” means—
- (a) the date of the passing of this Act; or
 - (b) where the sums specified in a provision mentioned in subsection (3) have been substituted by an order under subsection (2), the date of that order.
- (5) Nothing in an order under subsection (2) affects the punishment for an offence committed before the order comes into force.

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253 Local inquiries

The appropriate national authority may, for the purposes of the execution of any of the authority's functions under this Act, cause such local inquiries to be held as the authority considers appropriate.

Status:

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