



Housing and Planning Act 2016

2016 CHAPTER 22

PART 2

ROGUE LANDLORDS AND PROPERTY AGENTS IN ENGLAND

CHAPTER 3

DATABASE OF ROGUE LANDLORDS AND PROPERTY AGENTS

Access to information in the database

38 Access to database

The Secretary of State must give every local housing authority in England access to information in the database.

Commencement Information

II [S. 38](#) in force at 6.4.2018 by [S.I. 2018/393](#), [reg. 2\(a\)](#)

39 Use of information in database

- (1) The Secretary of State may use information in the database for statistical or research purposes.
- (2) The Secretary of State may disclose information in the database to any person if the information is disclosed in an anonymised form.
- (3) Information is disclosed in an anonymised form if no individual or other person to whom the information relates can be identified from the information.

Changes to legislation: *Housing and Planning Act 2016, Cross Heading: Access to information in the database is up to date with all changes known to be in force on or before 04 September 2023. 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*

- (4) A local housing authority in England may only use information obtained from the database—
- (a) for purposes connected with its functions under the Housing Act 2004,
 - (b) for the purposes of a criminal investigation or proceedings relating to a banning order offence,
 - (c) for the purposes of an investigation or proceedings relating to a contravention of the law relating to housing or landlord and tenant,
 - (d) for the purposes of promoting compliance with the law relating to housing or landlord and tenant by any person in the database, or
 - (e) for statistical or research purposes.
- (5) For the purposes of paragraph 17 of Schedule 23 to the Finance Act 2011 (which relates to HMRC data-gathering powers), the database is to be treated as being maintained by the Secretary of State.

Commencement Information

I2 [S. 39](#) in force at 6.4.2018 by [S.I. 2018/393](#), **reg. 2(a)**

Changes to legislation:

Housing and Planning Act 2016, Cross Heading: Access to information in the database is up to date with all changes known to be in force on or before 04 September 2023. 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.

[View outstanding changes](#)

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

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)