



Housing and Planning Act 2016

2016 CHAPTER 22

PART 4

SOCIAL HOUSING IN ENGLAND

CHAPTER 4

REDUCING REGULATION OF SOCIAL HOUSING ETC

93 Reducing local authority influence over private registered providers

- (1) The Secretary of State may by regulations make provision for the purpose of limiting or removing the ability of local authorities to exert influence over private registered providers through—
 - (a) appointing or removing officers of private registered providers;
 - (b) exercising or controlling voting rights.
- (2) The regulations may in particular—
 - (a) limit the number of officers that a local authority may appoint;
 - (b) prohibit a local authority from appointing officers;
 - (c) confer power on a private registered provider to remove officers appointed by a local authority;
 - (d) prohibit a local authority from doing things that would result in it obtaining voting rights in a private registered provider;
 - (e) require a local authority to take steps to reduce or get rid of any voting rights that it has in a private registered provider.
- (3) Regulations under this section may override or modify any contractual or other rights (whenever created) or anything in a private registered provider's constitution.
- (4) Regulations under this section may—
 - (a) confer a power to amend the constitution of a private registered provider in consequence of provision made by the regulations;

Changes to legislation: Housing and Planning Act 2016, Section 93 is up to date with all changes known to be in force on or before 05 August 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

(b) make provision about the procedure for exercising that power.

(5) In this section—

“appointing”, in relation to an officer, includes nominating or otherwise influencing the selection of the officer;

“constitution” includes rules;

“local authority” has the meaning given by section 106 of the Housing Associations Act 1985;

“officer”, in relation to a private registered provider, has the meaning given by section 270 of the Housing and Regeneration Act 2008;

“private registered provider” means a private registered provider of social housing.

Commencement Information

II [S. 93](#) in force at 3.2.2017 by [S.I. 2017/75](#), [reg. 3\(a\)](#)

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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\(8\)\(a\)\(ii\)](#)