
 STATUTORY INSTRUMENTS

1983 No. 672

HOUSING, ENGLAND AND WALES

The Housing (Extension of the Right to Buy) Order 1983

<i>Made</i> - - - -	3rd May 1983
<i>Laid before Parliament</i>	9th May 1983
<i>Coming into Operation</i>	31st May 1983

The Secretary of State for the Environment as respects England and the Secretary of State for Wales as respects Wales, in exercise of the powers conferred on them by sections 2(5) and 151(1) of the Housing Act 1980 (a) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation etc.

1.—(1) This order may be cited as the Housing (Extension of the Right to Buy) Order 1983 and shall come into operation on 31st May 1983.

(2) In this order—

“Part V” means Part V of the Housing Act 1957(b) (provision of housing accommodation by local authorities);

“the 1980 Act” means the Housing Act 1980; and
expressions used in this order which are also used in Chapter I of Part I of the 1980 Act shall have the same meanings as in that Chapter.

Extension of the right to buy

2.—(1) Nothing in section 2(4)(a) of and paragraph 1 of Part I of Schedule 1 to the 1980 Act (exclusion from the right to buy of dwelling-houses held by local authorities otherwise than under Part V) shall prevent the right to buy from arising in relation to any dwelling-house to which paragraph (2) below applies.

(2) This paragraph applies to a dwelling-house if—

(a) it is held by a local authority otherwise than under Part V; and

(b) it is not an excluded dwelling-house within the meaning of article 3 below.

Excluded dwelling-houses

3.—(1) A dwelling-house is an excluded dwelling-house for the purpose of article 2(2)(b) above if—

(a) the dwelling-house is for the time being let to a secure tenant who is an employee or former employee of a relevant authority and the dwelling-house was at any time before 3rd October 1980 let to him

(a) 1980 c.51.

(b) 1957 c.56, to which there are amendments not relevant to this Order.

- (whether or not under the same tenancy) on terms which provided for the tenancy to terminate on the tenant ceasing to be employed by that authority; or
- (b) the dwelling-house is for the time being let to a secure tenant who was at any time a member of the family of a person who was an employee or former employee of a relevant authority and—
- (i) the dwelling-house was at any time before 3rd October 1980 let to that person (whether or not under the same tenancy) on terms which provided for the tenancy to terminate on that person ceasing to be employed by that authority; and
- (ii) the secure tenant became the tenant (whether or not under the same tenancy) of the dwelling-house on or after that person's death; or
- (c) the dwelling-house is held by the local authority under the terms of any trust.
- (2) In this article "relevant authority" means—
- (a) a local authority;
- (b) a development corporation;
- (c) the Commission for the New Towns;
- (d) a county council; or
- (e) the Development Board for Rural Wales.

3rd May 1983.

Tom King,
Secretary of State for the Environment.

3rd May 1983.

Nicholas Edwards,
Secretary of State for Wales.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Section 2(4)(a) of and paragraph 1 of Part I of Schedule 1 to the Housing Act 1980 ("the 1980 Act") prevent secure tenants of local authorities from exercising the right to buy in relation to dwelling-houses which are held by the authorities otherwise than under their general powers to provide housing accommodation in Part V of the Housing Act 1957.

This Order extends the right to buy to such dwelling-houses in England and Wales, subject to certain exceptions set out in article 3 of this Order. The exceptions are for dwelling-houses—

- (a) let before 3rd October 1980 (the date on which the security of tenure provisions of Chapter II of Part I of the 1980 Act came into force) to an employee of a local authority or any other body listed in article 3(2) on terms which provided for the tenancy to terminate on the cessation of the employment (article 3(1)(a));
- (b) let to a member of the family of such an employee who became the tenant on or after the employee's death (article 3(1)(b));
- (c) held by a local authority under the terms of any trust (article 3(1)(c)).

SI 1983/672
ISBN 0-11-036672-7



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