

**1990 No. 1388**

**HOUSING, ENGLAND AND WALES**

**The Housing (Right to Buy) (Priority of Charges)  
Order 1990**

*Made - - - - - 5th July 1990*

*Coming into force 27th July 1990*

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 section 156(4) of the Housing Act 1985(a), and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following Order:

1. This Order may be cited as the Housing (Right to Buy) (Priority of Charges) Order 1990 and shall come into force on 27th July 1990.

2. The following bodies are hereby specified as approved lending institutions for the purposes of section 156 of the Housing Act 1985:

- (a) Providence Capitol Mortgage Services (No. 1) Limited
- (b) Sun Life of Canada Home Loans Limited
- (c) Halifax Loans (No. 2) Limited
- (d) Halifax Loans (No. 3) Limited
- (e) Halifax Loans (No. 4) Limited.

27th June 1990

*Chris Patten*  
Secretary of State for the Environment

2nd July 1990

*David Hunt*  
Secretary of State for Wales

We consent,

5th July 1990

*John Taylor*  
*David Lightbown*  
Two of the Lords Commissioners of Her Majesty's Treasury

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(a) 1985 c.68.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

Under the Housing Act 1985 ("the 1985 Act") liability to repay discount following the exercise of the right to buy or the right to be granted a shared ownership lease is secured by a charge on the dwelling-house. Such a charge does not have priority over certain charges securing advances by bodies which are approved lending institutions for the purposes of section 156 of that Act.

Such bodies are also approved lending institutions for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposal by a local authority) and paragraph 2 of Schedule 2 to the Housing Associations Act 1985 (c.69) (priority of charges on voluntary disposal by a housing association) dealing with voluntary disposals at a discount by local authorities and housing associations respectively.

Article 2 of this Order specifies five additional bodies as approved lending institutions. (Other bodies have been specified by previous Orders.)

55p net

ISBN 0 11 004388 X

Printed in the UK by HMSO

850/WO1309 C20 7/90 3198572 19542