

## SCHEDULES

### SCHEDULE 2

#### CONSEQUENTIAL AMENDMENTS

#### Housing Act 1988

**18.**—(1) The Housing Act 1988<sup>(1)</sup> is amended as follows.

(2) In section 35(3)<sup>(2)</sup> (whether certain secure tenancies granted to former owner-occupiers of defective dwellings are housing association tenancies), for “registered housing association, within the meaning of the Housing Associations Act 1985” substitute “registered social landlord, within the meaning of the Housing Act 1985 (see section 5(4) and (5) of that Act)”.

(3) In section 38(4A)<sup>(3)</sup> (transfer of existing tenancies from public to private sectors), for “registered housing association” substitute “registered social landlord (within the meaning of the Housing Act 1985 (see section 5(4) and (5) of that Act))”.

(4) In section 50 (housing association grant)—

(a) in subsection (1)—

- (i) for “The Housing Corporation and Housing for Wales” substitute “The Corporation”,
- (ii) for “registered housing associations” substitute “housing associations which are registered social landlords”, and

(b) in subsection (6)(b) for “registered housing association” substitute “housing association which is a registered social landlord”.

(5) In section 51 (revenue deficit grants)—

(a) in subsection (1)—

- (i) for “The Housing Corporation or, as the case may be, Housing for Wales” substitute “The Corporation”,
- (ii) for “registered housing association” substitute “housing association which is a registered social landlord”, and

(b) in subsection (2), for “the Housing Corporation or, as the case may be, Housing for Wales” substitute “the Corporation”.

(6) In section 52 (recovery etc. of grants)—

(a) in subsection (1), for “registered housing association” substitute “housing association which is a registered social landlord”, and

(b) in subsection (5)(b), for “registered housing association” substitute “housing association which is a registered social landlord”.

(7) In section 54(2)(a) (tax relief grants) for “registered” substitute “a registered social landlord”.

(8) In section 55 (surplus rental income)—

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(1) 1988 c. 50.

(2) Section 35 was amended by the 1989 Act, paragraph 105 of Schedule 11.

(3) Subsections (3) and (4) of section 38 were amended and subsection (4A) was inserted by the 1989 Act, paragraph 106 of Schedule 11.

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- (a) in subsection (1), for “registered housing association” substitute “registered social landlord”,
  - (b) in subsection (2), for the words from “order”, where it first appears, to the end substitute the words “a determination of the Corporation under paragraph 16(1) of Schedule 1 to the Housing Act 1996”, and
  - (c) in subsection (10)(b), for “registered housing association” substitute “housing association which is a registered social landlord”.
- (9) In section 59 (interpretation of Part II)—
- (a) in subsection (1)(b), after “the Corporation” insert “means Scottish Homes”,
  - (b) in subsection (1)(b), for the words from “except” to “other” substitute “subject to subsections (1A) and (1B) below”, and
  - (c) after subsection (1) insert—
    - “(1A) Expressions used in sections 50 to 55 and 57 above have the same meaning as in Part I of the Housing Act 1996, subject as follows.
    - (1B) In those sections “housing activities” and “shared ownership lease”, in relation to times, circumstances and purposes before the commencement of section 1 of the Housing Act 1996 (the register of social landlords), have the same meaning as in the 1985 Act.”
- (10) In section 81 (consent required for certain disposals by housing action trusts)—
- (a) in subsection (6)—
    - (i) after “under” insert “section 9 or 42 of the Housing Act 1996 (control of dispositions by registered social landlords) or”,
    - (ii) after “land by” insert “unregistered”, and
  - (b) in subsection (7), for “the said section 9” substitute “section 9 or 42 of the Housing Act 1996 or section 9 of the Housing Associations Act 1985”.
- (11) In section 82 (power of Corporation to provide legal assistance to tenants after disposal), at the end insert—
- “(5) In this section “the Corporation” in relation to a registered social landlord which acquired the house on the disposal referred to in subsection (1) above means the Corporation in whose register the landlord is registered.
- As to which Corporation that is, see section 56 of the Housing Act 1996.”
- (12) In section 133 (consent required for certain disposals)—
- (a) in subsection (6)—
    - (i) after “under” insert “section 9 or 42 of the Housing Act 1996 (control of dispositions by registered social landlords) or”,
    - (ii) after “land by” insert “unregistered”, and
  - (b) in subsection (7), for “the said section 9” substitute “section 9 or 42 of the Housing Act 1996 or section 9 of the Housing Associations Act 1985”.
- (13) In Part I of Schedule 2 (compulsory grounds for possession), in ground 6—
- (a) for “registered housing association”, where it first appears, substitute “registered social landlord”,
  - (b) for ““registered housing association” has the same meaning as in the Housing Associations Act 1985” substitute ““registered social landlord” has the same meaning as in the Housing Act 1985 (see section 5(4) and (5) of that Act)”, and
  - (c) for “that Act” substitute “the Housing Associations Act 1985”.

*Document Generated: 2023-08-13*

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