

## SCHEDULE

Article 2

### AMENDMENTS

#### Rent Act 1977

1.—(1) The Rent Act 1977(1) is amended as follows.

(2) In section 86(2)(a)(2) (tenancies to which Part VI applies) after “the Housing Corporation” insert “or to the Secretary of State where that interest belongs to him as the result of the exercise by him of functions under Part III of the Housing Associations Act 1985(3).”

(3) In section 86(2)(b) (tenancies to which Part VI applies) after “but for section” insert “13 or”.

(4) In section 93(1)(4) (increase of rent without notice to quit) after “the Housing Corporation” insert “or the Secretary of State”.

#### Housing Act 1985

2. In paragraph 7(1) of Schedule 4 to the Housing Act 1985(5) (the landlord condition) after “registered social landlord which is not a co-operative housing association” insert “the Secretary of State where that interest belonged to him as the result of the exercise by him of functions under Part III of the Housing Associations Act 1985.”

#### Housing Act 1988

3.—(1) The Housing Act 1988(6) is amended as follows.

(2) In section 35(5)(7) (removal of special regimes for tenancies of housing associations etc) after “or the Housing Corporation” insert “or, where that interest becomes held by him as the result of the exercise by him of functions under Part III of the Housing Association Act 1985, the Secretary of State,”.

(3) In section 38(8) (transfer of existing tenancies from public to private sector)—

(a) in subsection (3) for “and (4A)” substitute “(4A) and (4B),”

(b) after subsection (4A) insert—

“(4B) Where, by virtue of a disposal by the Secretary of State made in the exercise by him of functions under Part III of the Housing Associations Act 1985, the interest of the landlord under a secure tenancy passes to a registered social landlord (within the meaning of the Housing Act 1985) then, notwithstanding anything in subsection (3) above, so long as the tenancy continues to be held by a body which would have been specified in subsection (1) of section 80 of the Housing Act 1985 if the repeal of provisions of that section effected by this Act had not been made, the tenancy shall continue to be a secure tenancy and to be capable of being a housing association tenancy.”

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(1) 1977 c. 42.

(2) Section 86(2) was amended by the Housing Act 1980 (c. 51) Schedule 10, the Housing Act 1988, (c. 50) Schedule 17 and the Government of Wales Act 1998, (c. 38) Schedule 18.

(3) 1985 c. 69.

(4) Section 93(1) was amended by the Housing Act 1980 (c. 51) Schedule 10, the Housing Act 1988, (c. 50) Schedule 17 and the Government of Wales Act 1998, (c. 38) Schedule 18.

(5) 1985 c. 68; paragraph 7(1) was amended by the Housing and Planning Act 1986 (c. 63) Schedule 12, the Housing Act 1988 (c. 50) Schedule 17, the Housing Act 1996 (Consequential Provisions) Order 1996, S.I.1996/2325 and the Government of Wales Act 1998 (c. 38) Schedule 16.

(6) 1988 c. 50.

(7) Section 35(5) was amended by the Government of Wales Act 1998, (c. 38) Schedule 16.

(8) Section 38 was amended by the Local Government and Housing Act 1989, (c. 42) section 194(1) and Schedule 11 and by the Housing Act 1996 (Consequential Provisions) Order 1996, Statutory Instrument 1996/2325.

**Status:** *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

(4) At the end of paragraph 11(2) of Schedule 1 (Crown tenancies) add “or it is held by the Secretary of State as the result of the exercise by him of functions under Part III of the Housing Associations Act 1985.”