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STATUTORY INSTRUMENTS

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**2000 No. 702**

**The Allocation of Housing (England) Regulations 2000**

**Cases where the provisions of Part VI of the Act do not apply**

3.—(1) The provisions of Part VI of the Act about the allocation of housing accommodation do not apply in the following cases.

(2) They do not apply to the allocation of housing accommodation by a local housing authority to a person who is already—

- (a) a secure tenant of the Northern Ireland Housing Executive or a registered housing association within the meaning of Article 25 of the Housing (Northern Ireland) Order 1983<sup>(1)</sup> (secure tenancies);
- (b) a secure tenant under Part III of the Housing (Scotland) Act 1987<sup>(2)</sup> (rights of public sector tenants); or
- (c) an assured tenant of accommodation under Part II of the Housing (Scotland) Act 1988<sup>(3)</sup> (rented accommodation) (otherwise than under a short assured tenancy within the meaning of section 32 of that Act (short assured tenancies)) where the interest of the landlord belongs to—
  - (i) a housing association registered in the register maintained by Scottish Homes under section 3 of the Housing Associations Act 1985<sup>(4)</sup> (the register); or
  - (ii) a person who acquired the accommodation (otherwise than under Part III of the Housing (Scotland) Act 1987) from a district council or islands council constituted under section 2 of the Local Government (Scotland) Act 1973<sup>(5)</sup> (constitution of councils of regions, islands areas and districts), a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(6)</sup> (constitution of councils), or Scottish Homes.

(3) They do not apply where a local housing authority secures the provision of suitable alternative accommodation under section 39 of the Land Compensation Act 1973<sup>(7)</sup> (duty to rehouse residential occupiers).

(4) They do not apply in relation to the grant of a secure tenancy under section 554 or 555 of the Housing Act 1985<sup>(8)</sup> (grant of tenancy to former owner-occupier or statutory tenant of defective dwelling-house).

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(1) S.I.1983/1118 (N.I. 15).

(2) 1987 c. 26.

(3) 1988 c. 43.

(4) 1985 c. 69; section 3 was amended by paragraph 3 of Schedule 6 to the Housing Act 1988 (c. 50); repealed in so far as it extended to England and Wales by Part I of Schedule 19 to the Act; and amended by S.I. 1996/2325.

(5) 1973 c. 65.

(6) 1994 c. 39.

(7) 1973 c. 26; section 39 was amended by Part I of Schedule 2 to the Land Compensation (Scotland) Act 1973 (c. 56), paragraph 40 of Schedule 13 to the Housing Act 1974 (c. 44), paragraph 10 of Schedule 7 to the Development of Rural Wales Act 1976 (c. 75), Part I of Schedule 1 and paragraph 24 of Schedule 2 to the Housing (Consequential Provisions) Act 1985 (c. 71), Part II of Schedule 12 to the Local Government and Housing Act 1989 (c. 42), and paragraph 29 of Schedule 2 to the Planning (Consequential Provisions) Act 1990 (c. 11).

(8) 1985 c. 68; section 554 was amended by paragraph 61 of Schedule 17 to the Housing Act 1988 (c. 50) and S.I. 1996/2325.

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

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