

2004 No. 1071

HOUSING, ENGLAND

**The Housing (Right to Buy) (Priority of Charges) (England)
Order 2004**

Made - - - - *5th April 2004*

Coming into force - - *30th April 2004*

The First Secretary of State, in exercise of the powers conferred upon him by section 156(4) of the Housing Act 1985 (a) hereby makes the following Order:

Citation, commencement and extent

1.—(1) This Order may be cited as the Housing (Right to Buy) (Priority of Charges) (England) Order 2004 and shall come into force on 30th April 2004.

(2) This Order applies in England only.

Specified Body

2. First National Home Finance Limited (Company No. 592986) is hereby specified as an approved lending institution for the purposes of section 156 (b) of the Housing Act 1985 (priority of charges).

Signed by authority of the First Secretary of State

5th April 2004

Keith Hill
Minister of State,
Office of the Deputy Prime Minister

(a) 1985 c.68; section 156(4) was amended by paragraph 22(1)(c) of Schedule 18, and Part 13 of Schedule 19, to the Housing Act 1996 (c.52), section 140 of, and paragraph 5 of Schedule 16, to the Government of Wales Act 1998 (c.38), and by S.I. 2001/3649. The Secretary of State's functions under section 156, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1.

(b) Section 156 was also amended by section 24(1) of, and paragraph 1(2) and (5) of Schedule 5 to, the Housing and Planning Act 1986 (c.63), by section 120(3) and (4) of the Leasehold Reform, Housing and Urban Development Act 1993 (c.28), and by section 135 of, and Schedule 13 to, the Land Registration Act 2002 (c.9).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies First National Home Finance Limited (“the Company”) as an approved lending institution for the purposes of section 156 of the Housing Act 1985 (priority of charges on disposals under the right to buy), in addition to the bodies already specified in that section or in previous Orders. The Company thereby also becomes an approved lending institution for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposal by local authorities) and section 12 of the Housing Act 1996 (priority of charges on voluntary disposals by registered social landlords).

As section 156 of the Housing Act 1985 is applied by section 171A of that Act to cases in which a tenant’s right to buy is preserved and by section 17 of the Housing Act 1996 to cases in which a tenant has the right to acquire under section 16 of the 1996 Act, the Company is also an approved lending institution for the purposes of those rights.

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