

## SCHEDULE

### Modification of Enactments

#### **Housing Act 1996**

**5.—(1)** In the following provisions of the Housing Act 1996<sup>(1)</sup> any reference to the Housing Corporation shall be treated as if it were a reference to the Regulator of Social Housing—

sections 1, 9(1A), 29, 30(5), 36(4), 46(7), 49(3), 51(2)(d) and 56

paragraphs 9(3A), 11(3A), 12(6)(a), 13(7)(a) and 15(5)(b), 20(3), 27(4) of Schedule 1 and paragraphs 6(2) and 11(4) of Schedule 2<sup>(2)</sup>

(2) In sections 16, 16A, 18, 20, 21 and 27 of the Housing Act 1996 any reference to the Relevant Authority shall be treated, in relation to a body falling within section 56(3) of that Act, as if it were a reference to the Homes and Communities Agency (and not the Regulator of Social Housing).

(3) In section 16(5) of the Housing Act 1996 the reference to the Housing Corporation shall be treated as if it were a reference to the Homes and Communities Agency.

(4) In section 18 of the Housing Act 1996—

- (a) the reference to the Housing Corporation in subsection (5) shall be treated as if it were a reference to the Homes and Communities Agency,
- (b) the first reference to the Housing Corporation in subsection (8) shall be treated as if it were a reference to the Regulator of Social Housing, and
- (c) the second reference to the Housing Corporation in subsection (8) shall be treated as if it were a reference to the Homes and Communities Agency.

(5) Where the Regulator of Social Housing is the Relevant Authority for the purposes of section 25 of the Housing Act 1996, subsection (2) of that section shall have effect as if for the words “shall be paid to it” there were substituted “shall be paid to the Homes and Communities Agency”.

(6) In section 27A of the Housing Act 1996—

- (a) any reference to the Relevant Authority shall, in so far as it had effect as a reference to the Housing Corporation immediately before the commencement of this Order, be treated as if it were a reference to the Homes and Communities Agency (and not the Regulator of Social Housing),
- (b) the reference to the Housing Corporation in subsection (5) shall be treated as if it were a reference to the Homes and Communities Agency, and
- (c) the references to the Housing Corporation in subsection (7) shall be treated as if they were references to the Homes and Communities Agency.

(7) In section 27B of the Housing Act 1996 any reference to the Relevant Authority shall, in so far as it had effect as a reference to the Housing Corporation immediately before the commencement

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(1) 1996 c.52; amended by section 140 of, and Schedule 16 to, and section 152 of and Part 6 of Schedule 18 to the Government of Wales Act 1998 (c.38).

(2) Section 36 was amended by section 218 of and paragraph 7 of Schedule 11 to the Housing Act 2004 (c.34). Section 46 was amended by section 75 of, by paragraphs 183 and 189 of Schedule 8 to the Charities Act 2006 (c.50). Section 51 was amended by section 228 of the Housing Act 2004 and section 39 of, and paragraphs 56 and 57 of Schedule 6 to the Public Services Ombudsman (Wales) Act 2005 (c.10). Section 56 was amended by section 39 of, and paragraphs 183 and 190 of Schedule 8 to the Charities Act 2006. Section 56 defines the Relevant Authority for the purposes of the Housing Act 1996 and for the purposes of Part III of the Housing Associations Act 1985 (see section 74(3) of that Act). Paragraph 9 of Schedule 1 was amended by S.I. 2001/3649. Paragraph 11 of Schedule 1 was amended by S.I. 2007/2194. Paragraph 12 of Schedule 1 was amended by S.I. 2001/3649 and 2007/2194. Paragraph 13 of Schedule 1 was amended by S.I. 2007/2194 and 2008/948. Paragraph 15 of Schedule 1 was amended by section 218 of, and paragraphs 7 and 15 of Schedule 11 to the Housing Act 2004. Paragraph 20 of Schedule 1 was amended by section 218 of, and paragraphs 7 and 24 of Schedule 11 to the Housing Act 2004.

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of this Order, be treated as if it were a reference to the Homes and Communities Agency (and not the Regulator of Social Housing).

(8) In sections 53 and 54 of the Housing Act 1996 any reference to the Housing Corporation shall be treated as if it were a reference to the Regulator of Social Housing or the Homes and Communities Agency as the circumstances require.

(9) The modifications made by this Order to section 56 of the Housing Act 1996 as applied by section 74(3) of the Housing Associations Act 1985 shall not have effect for the purposes of the construction of “the Relevant Authority” in relation to sections 75(1)(c) and (e), 75(4), 84, 88, 89 and 90 of the Housing Associations Act 1985.