

This Statutory Instrument has been made in consequence of a defect in SI 2008/3107 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2009 No. 34

HOUSING, ENGLAND AND WALES

The Home Information Pack (Amendment) Regulations 2009

<i>Made</i>	- - - -	<i>14th January 2009</i>
<i>Laid before Parliament</i>		<i>21st January 2009</i>
<i>Coming into force</i>	- -	<i>6th April 2009</i>

The Secretary of State, in exercise of the powers conferred by sections 163 and 250(2) of the Housing Act 2004(a), makes the following Regulations:

In accordance with section 250(3) of that Act, the Secretary of State has consulted the Welsh Ministers(b) in relation to residential properties in Wales.

Citation and commencement

1. These Regulations may be cited as the Home Information Pack (Amendment) Regulations 2009 and come into force on 6th April 2009.

Amendment of the Home Information Pack (No.2) Regulations 2007

2. The Home Information Pack (No. 2) Regulations 2007(c) are amended in accordance with regulation 3.

Amendment of regulation 14

3. In regulation 14(1) (time at which pack documents are to be included)—

- (a) after sub-paragraph (e) omit “and”; and
- (b) after sub-paragraph (f) add—
 - “(g) paragraph (m) (property information questionnaire relating to a property that is not a new home); and
 - (h) paragraph (n) (property information questionnaire for a property that is a new home).”.

(a) 2004 c.34.
(b) The expression “the Welsh Ministers” is to be construed in accordance with section 45(2) of the Government of Wales Act 2006 (c.32). Section 250(3) of the Housing Act 2004 refers to consultation with the National Assembly for Wales. Under paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 functions of the National Assembly for Wales (as constituted under the Government of Wales Act 1998 (c.38)) conferred or imposed on it by an Act are transferred to the Welsh Ministers.
(c) S.I. 2007/1667 as amended by S.I. 2007/3301, S.I. 2008/572, S.I. 2008/1266 and S.I. 2008/3107.

Signed by authority of the Secretary of State for Communities and Local Government

14th January 2009

Margaret Beckett
Minister of State for Housing
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Home Information Pack (No. 2) Regulations 2007 (SI 2007/1667) (“the principal Regulations”). Under sections 155 to 159 of the Housing Act 2004, a home information pack must comply with the principal Regulations.

Regulation 3 amends regulation 14 of the principal Regulations by adding the property information questionnaire to the list of required documents that must be in the home information pack before or at the first point of marketing. The requirement to include a property information questionnaire in the home information pack was introduced in the Home Information Pack (Amendment) (No.3) Regulations 2008 (S.I. No 3107) and comes into force on 6th April 2009.

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