

SCHEDULE

Transitional and saving provisions: Parts 1 and 2

Grants

Outstanding social housing grant applications

19.—(1) Sub-paragraph (2) applies to an application made before the commencement date for grant under section 18 or 27A of the 1996 Act (grants) where the application was not determined or withdrawn before the commencement date and, immediately before that date, the HCA was responsible for determining the application.

(2) The application is to be treated, on and after that date, as an application for social housing assistance by way of grant under section 19 of the 2008 Act (financial assistance).

Outstanding purchase grant applications

20.—(1) Sub-paragraph (2) applies to an application made before the commencement date for grant under section 20 of the 1996 Act (purchase grant where right to acquire exercised) where—

- (a) the application was not determined or withdrawn before the commencement date and, immediately before that date, the HCA was responsible for determining the application, or
- (b) the application was determined before the commencement date in favour of the applicant but no grant was paid before that date and, immediately before that date, the HCA was responsible for paying the grant.

(2) The application is to be treated, on and after that date, as an application (or, as the case may be, a determined application) for financial assistance by way of grant under section 19 of the 2008 Act.

(3) The requirement for the consent of the Secretary of State in section 19(1) of the 2008 Act is to be treated as having been met in the case of determined applications.

(4) Section 35 of the 2008 Act (duty to give financial assistance in relation to certain disposals) applies to an application to which sub-paragraph (2) applies as if the application were in respect of any discount given to a person exercising the right to acquire conferred by section 180 of the 2008 Act (right to acquire).

(5) Sub-paragraph (6) applies to an application made before the commencement date for grant under section 21(2) of the 1996 Act (purchase grant in respect of other disposals) where—

- (a) the application was not determined or withdrawn before the commencement date and, immediately before that date, the HCA was responsible for determining the application, or
- (b) the application was determined before the commencement date in favour of the applicant but no grant was paid before that date and, immediately before that date, the HCA was responsible for paying the grant.

(6) The application is to be treated, on and after that date, as an application (or, as the case may be, a determined application) for financial assistance by way of grant under section 19 of the 2008 Act.

(7) The requirement for the consent of the Secretary of State in section 19(1) of the 2008 Act is to be treated as having been met in the case of determined applications.

(8) Section 35 of the 2008 Act applies to an application to which sub-paragraph (6) applies as if the application were in respect of any discount given on a disposal of a dwelling in England to a qualifying tenant otherwise than in pursuance of the right conferred by section 180 of the 2008 Act.

(9) Any specification which, immediately before the commencement date, is in force and made (or treated as made) by the HCA under section 20(3) or 21(3) of the 1996 Act is to be treated on and

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after that date as if it were made under section 35(5) of the 2008 Act in relation to the type of grants concerned; and the specification is to be read as modified accordingly.

Grants already made or in payment under the 1996 Act

21.—(1) The grant provisions continue to apply on and after the commencement date in relation to—

- (a) a grant where the application was determined before the commencement date in favour of the applicant but no grant was paid before that date and, immediately before that date, the HCA was responsible for paying the grant, and
 - (b) a grant wholly or partly paid by the HCA before that date (or treated as so paid).
- (2) In their application by virtue of sub-paragraph (1), the grant provisions have effect—
- (a) without any amendments or repeals of them brought into force by this Order,
 - (b) as if the 2008 Order were not revoked, and
 - (c) as if references to registered social landlords—
 - (i) in relation to times, circumstances or purposes before the commencement date, related only to English registered social landlords, and
 - (ii) in relation to times, circumstances or purposes on and after the commencement date, were references to private registered providers of social housing.

(3) In this paragraph “the grant provisions” means sections 18, 19, 27, 27A, 27B, 53 and 54 of the 1996 Act and any other enactment, instrument or other document so far as it has effect under or otherwise in connection with those sections.

Determinations in relation to grant recovery

22. Any determination which, immediately before the commencement date, is in force and made (or treated as made) by the HCA under section 27 of the 1996 Act (recovery etc. of social housing grant) is to be treated, on and after that date, in relation to social housing assistance given (or treated as given) under section 19 of the 2008 Act to private registered providers of social housing as if it were a determination made under section 32 of the 2008 Act (recovery etc. of social housing assistance) in relation to such persons; and the determination is to be read as modified accordingly.

Housing Management Accreditation Scheme

23.—(1) The Housing Management Accreditation Scheme published by the Housing Corporation in March 2006 and operated by the HCA is to continue to apply on and after the commencement date.

(2) Sub-paragraph (1) is without prejudice to the power of the HCA to amend or revoke the scheme.