
WELSH STATUTORY INSTRUMENTS

2018 No. 100 (W. 24) (C. 12)

HOUSING, WALES

The Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (Commencement and Saving Provisions) Order 2018

Made - - - - 29 January 2018

The Welsh Ministers make the following Order in exercise of the powers conferred on them by section 11(3) and (5) of the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018⁽¹⁾.

Title and interpretation

1.—(1) The title of this Order is the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (Commencement and Saving Provisions) Order 2018.

(2) In this Order—

“the Act” (“*y Ddeddf*”) means the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018;

“the 1985 Act” (“*Deddf 1985*”) means the Housing Act 1985⁽²⁾.

Appointed day

2. 26 January 2019 is the appointed day for the coming into force of the following provisions of the Act—

- (a) sections 6 (abolition of the right to buy and the right to acquire) and 7 (removal of power to make grants in respect of discounts); and
- (b) Schedule 1 (consequential amendments and repeals)⁽³⁾.

Saving provisions

3.—(1) Sub-paragraph (2) applies—

⁽¹⁾ 2018 anaw 1.

⁽²⁾ 1985 c. 68.

⁽³⁾ Schedule 1 (which makes consequential amendments and repeals) is introduced by section 6(3) of the Act.

Status: This is the original version (as it was originally made).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

- (a) where a notice has been served on the landlord in accordance with section 122 of the 1985 Act(4) before 26 January 2019; and
- (b) to any grant made in accordance with section 138(1) of the 1985 Act, following on from such notice.

(2) Notwithstanding the coming into force of section 6 of, and Schedule 1 to, the Act, the provisions amended, modified or repealed by those provisions continue to have effect as they had effect on 25 January 2019.

4.—(1) Notwithstanding the coming into force of section 7 of the Act, section 21 of the Housing Act 1996(5) continues to have effect as it had effect on 25 January 2019 in relation to any disposals made to which that section may apply before 26 January 2019.

Rebecca Evans
Minister for Housing and Regeneration, under
the authority of the Cabinet Secretary for Local
Government and Public

29 January 2018

(4) Part 5 has been modified by the Housing (Extension of the Right to Buy) Order 1993 (S.I. 1993/2240), the Housing (Preservation of the Right to Buy) Regulations 1993 (S.I. 1993/2241), and the Housing (Right to Acquire) Regulations 1997 (S.I. 1997/619).

(5) 1996 c. 52. Section 21 has been amended by sections 218, and 266 of, and paragraphs 7 and 10 of Schedule 11, and Schedule 16 to, the Housing Act 2004, sections 61 and 185 of the Housing and Regeneration Act 2008, and the Housing and Regeneration Act 2008 (Registration of Local Authorities) Order 2010 (S.I. 2010/844).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Abolition of the Right to Buy and Associated Rights (Wales) Act 2018 (“the Act”).

Article 2 appoints 26 January 2019 for the coming into force of sections 6 and 7 of the Act which abolish the right to buy and the right to acquire, and remove the power to make grants in respect of discounts on disposals otherwise than in pursuance of the right to acquire.

Article 3 makes saving provision to ensure that any claims to exercise the right to buy or the right to acquire which are served on the landlord before the 26 January 2019 will continue to be progressed under legislation that otherwise no longer applies in relation to dwellings in Wales. This saving provision also ensures that the legislation in force on 25 January 2019 will continue to apply to sales made under the right to buy and the right to acquire. This means that existing duties, for example, to repay discount upon resale within 5 years, will continue to apply.

Article 4 makes saving provision to preserve the effect of section 21 of the Housing Act 1996 in relation to any disposals made before 26 January 2019.