

**2010 No. 2769**

**HOUSING, ENGLAND**

**The Housing (Right to Buy) (Service Charges) (Amendment)  
(England) Order 2010**

<i>Made</i>	- - - -	<i>17th November 2010</i>
<i>Laid before Parliament</i>		<i>24th November 2010</i>
<i>Coming into force</i>	- -	<i>29th December 2010</i>

The Secretary of State, makes the following Order in exercise of the powers conferred by paragraph 16D of Part 3 of Schedule 6 to the Housing Act 1985(a):

**Citation, commencement and application**

**1.**—(1) This Order may be cited as the Housing (Right to Buy) (Service Charges) (Amendment) (England) Order 2010 and comes into force on 29th December 2010.

(2) This Order applies to England only.

**Amendment**

**2.** In article 2 (interpretation) of the Housing (Right to Buy) (Service Charges) Order 1986(b), for the definition of “index figure” substitute—

““index figure” means an index figure, other than a provisional index figure, in the table of “BIS Output Price Index for Direct Labour: Public Housing Repairs and Maintenance” in the “BIS Output Price Indices” published quarterly in “BCIS Online” by the “Building Cost Information Service of the Royal Institution of Chartered Surveyors on behalf of the Department for Business, Innovation and Skills,”.

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

17th November 2010

*Grant Shapps*  
Minister of State  
Department for Communities and Local Government

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(a) 1985 c.68. Paragraphs 16B, 16C and 16D were inserted by section 4(4) and (6) of the Housing and Planning Act 1986 (c.63). There are other amendments to Schedule 6 which are not relevant to this Order. The Secretary of State’s functions under paragraph 16D, 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. Under paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c.32), functions formerly exercised by the National Assembly for Wales are now exercisable by the Welsh Ministers.

(b) S.I. 1986/2195. Article 2 was previously amended by article 2 of S.I.2008/533.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Housing (Right to Buy) (Service Charges) Order 1986 (“the principal Order”) which sets out the calculation for the inflation allowance to be added to a landlord’s estimate of the service charges payable by the tenant for repairs and major works in the initial period of a right to buy lease.

Article 2 of this Order amends the definition of “index figure” in article 2 of the principal Order. This is necessary because the relevant index is now published by the Building Cost Information Service of the Royal Institution of Chartered Surveyors on behalf of the Department for Business, Innovation and Skills (BIS) in the “BIS Output Price Index for Direct Labour: Public Housing Repairs and Maintenance” in the quarterly “BIS Output Price Indices”.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sector is foreseen.

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