



Abolition of the Right to Buy and Associated Rights (Wales) Act 2018

2018 anaw 1

Restriction on exercising the right to buy and the right to acquire

3 Exceptions to the restriction on exercising the right to buy

- (1) The [Housing Act 1985 \(c. 68\)](#) is amended as follows.
- (2) After section 121ZA (restriction on exercising the right to buy in Wales), insert—

“121ZB Exceptions to restriction on exercising the right to buy in Wales

- (1) The first case applies in respect of a dwelling-house (the “exempted dwelling”) if—
 - (a) after the relevant date, the court orders a person who has the right to buy to give up possession of a dwelling-house,
 - (b) the order is made on any of the grounds set out in Parts 2 or 3 of Schedule 2,
 - (c) the person becomes the tenant of the exempted dwelling, and
 - (d) the exempted dwelling is suitable alternative accommodation for the purposes of the order.
- (2) The second case applies in respect of a dwelling-house (the “exempted dwelling”) if—
 - (a) after the relevant date, the court orders a person who has the preserved right to buy (see section 171B) to give up possession of a dwelling-house,
 - (b) the order is made—
 - (i) on Ground 9 in Schedule 2 to the [Housing Act 1988 \(c. 50\)](#) (possession of dwelling-house let under assured tenancy on grounds that there is suitable alternative accommodation), or

- (ii) in pursuance of section 98(1)(a) of the [Rent Act 1977 \(c. 42\)](#) (limitation on recovery of possession of dwelling-houses let under certain tenancies),
 - (c) the person becomes the tenant of the exempted dwelling, and
 - (d) the exempted dwelling is suitable alternative accommodation for the purposes of the order.
- (3) The third case applies in respect of a dwelling-house (the “exempted dwelling”) if—
 - (a) the exempted dwelling has, at some time during the period of six months ending with the relevant date, been let by a registered social landlord or a private registered provider of social housing under an assured tenancy (other than a long tenancy),
 - (b) after the relevant date, a person having the preserved right to buy in respect of another dwelling-house (“the relevant dwelling-house”) becomes the tenant of the exempted dwelling, and
 - (c) the exempted dwelling becomes the relevant dwelling-house for the purposes of section 171B(6).
- (4) The Welsh Ministers may, by regulations made by statutory instrument, amend this section by adding additional cases.
- (5) Regulations under subsection (4) may not be made unless a draft of the statutory instrument containing the regulations has been laid before and approved by a resolution of the National Assembly for Wales.”