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DRAFT STATUTORY INSTRUMENTS

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**2010 No.**

**HOUSING, ENGLAND AND WALES**

The Housing and Regeneration Act 2008  
(Consequential Provisions) Order 2010

*Made* - - - -

*Coming into force*

*1st April 2010*

THE HOUSING AND REGENERATION ACT 2008  
(CONSEQUENTIAL PROVISIONS) ORDER 2010

1. Citation and commencement
  2. Interpretation
  3. Extent
  4. Consequential amendments for Part 1 of the 2008 Act
  5. Consequential amendments for Part 2 of the 2008 Act
  6. Transitional and saving provisions
  7. Repeals
- Signature

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SCHEDULE 1 — Amendment of enactments: Part 1

1. Housing Act 1985
2. In section 151B (mortgage for securing redemption of landlord's share:...
3. In section 156(4) (liability to repay discount on early disposal...
4. In Schedule 5 (exceptions to right to buy) in paragraph...
5. Housing Associations Act 1985
6. Housing Act 1996
7. In section 24(2) (the disposal proceeds fund)—
8. In section 51(3)(a) (schemes for investigation of complaints) after “grant...
9. In Schedule 1 (registered social landlords: regulation) in paragraphs 5(2)...

SCHEDULE 2 — Amendment of enactments: Part 2

1. Industrial and Provident Societies Act 1965
2. Leasehold Reform Act 1967
3. Land Compensation Act 1973
4. In section 29(1)(d) (right to home loss payment where person...

5. In section 32(7B) (supplementary provisions about home loss payments) for...
6. In section 37(1)(d) (disturbance payments for persons without compensatable interests)...
7. Consumer Credit Act 1974
8. Rent (Agriculture) Act 1976
9. Rent Act 1977
10. (1) Section 15 (landlord's interest belonging to housing association, etc)...
11. In section 86(2)(a) (tenancies to which Part VI applies) for...
12. In section 93(1) (increase of rent without notice to quit)...
13. Protection from Eviction Act 1977
14. Criminal Law Act 1977
15. Housing Act 1985
16. In section 5 (definition of "registered social landlord") for subsection...
17. In section 6A(1) and (4) (the Relevant Authority) for "Housing..."
18. In section 45 (disposals in relation to which sections 46...
19. (1) Section 80 (the landlord condition for secure tenancies) is...
20. (1) Section 82A (demotion because of anti-social behaviour) is amended...
21. In section 92(2A)(a) (assignments by way of exchange) for "either..."
22. In section 105(6) (consultation on matters of housing management) after...
23. In section 106(3) (information about housing allocation) after "which is"...
24. In section 106A(3)(b) (consultation before disposal to private sector landlord)...
25. In section 114(1) (meaning of landlord authority) after the entry...
26. In section 115(2)(a) (meaning of long tenancy) after "at the..."
27. In section 171(2) (power to extend right to buy)—
28. In section 185(2)(b) (meaning of "secure tenancy" and "secure tenant")...
29. In section 240(5) (steps to be taken after declaration of...
30. In section 429A(2A) (housing management: financial assistance etc)—
31. In section 450A(6) (right to a loan to pay service...
32. In section 450B(4) (power to make loans in other cases)...
33. (1) Section 458 (minor definitions) is amended as follows.
34. In section 548(1) (repurchase by authority other than local housing...
35. In section 554(2A) (grant of tenancy to former owner-occupier) after...
36. In section 573(1) (meaning of "public sector authority": Part XVI)...
37. (1) Schedule 2 (grounds for possession of dwelling houses let...
38. (1) Schedule 4 (qualifying period for right to buy and...
39. Housing Associations Act 1985
40. In section 2B (meaning of "registered housing association" etc) for...
41. In section 35(2) (housing trusts: power to transfer housing to...
42. In section 58(4) (powers of local authorities to promote and...
43. In section 61(3) (power of local housing authority to supply...
44. (1) Section 69 (power to vary or terminate certain agreements...
45. For the heading to Part 3 substitute "Social Housing in..."
46. In the italic heading before section 74 for "Constitution" substitute...
47. In section 74— (a) for subsections (1) and (1A) substitute—...
48. (1) Section 75 (general functions of the Relevant Authority) is...
49. Omit section 76 (directions to Housing Corporation).
50. (1) Section 77 (advisory service) is amended as follows.
51. (1) Section 79 (lending powers) is amended as follows.
52. (1) Section 80 (security for loans to unregistered self-build societies)...
53. In section 81(b) (further advances in case of disposal on...
54. (1) Section 83 (power to guarantee loans) is amended as...

55. (1) Section 87 (financial assistance with respect to formation etc...
56. (1) Schedule 5 (housing association finance: superseded subsidies, contributions and...
57. (1) Schedule 7 (powers exercisable where loan outstanding under section...
58. Landlord and Tenant Act 1985
59. In section 14(4) (repairing obligations in leases: exceptions) after “the...
60. In section 26(3)(a) (exceptions to service charge controls etc) after...
61. Insolvency Act 1986
62. Landlord and Tenant Act 1987
63. Housing Act 1988
64. In section 6A(1) (demotion of assured tenancy because of anti-social...
65. In section 20B(1) (demoted assured shorthold tenancies) after “the landlord...
66. (1) Section 35 (removal of special regimes for tenancies of...
67. In section 38(4A) (transfer of existing tenancies from public to...
68. Omit section 57 (delegation of certain functions by Secretary of...
69. In section 59(1A) (interpretation) omit “and 57”.
70. In section 79(2) (disposal of land by housing action trusts)...
71. (1) Section 81 (consent required for certain disposals of housing...
72. (1) Section 82 (power of Relevant Authority to provide legal...
73. Section 133(7) (consent for certain disposals of housing obtained from...
74. (1) Schedule 2 (grounds for possession of dwelling-houses let on...
75. Local Government and Housing Act 1989
76. In section 172(2)(b) (transfer of new town housing stock) for...
77. In section 173(7) (consent required for subsequent disposals) after “required...
78. Charities Act 1993
79. Leasehold Reform, Housing and Urban Development Act 1993
80. Criminal Justice and Public Order Act 1994
81. Housing Act 1996
82. In section 9(1A) (consent required for disposal of land by...
83. In section 10(1)(a) (disposals not requiring consent) after “paragraph 12(1)(h),”...
84. In section 16 (right to acquire) omit subsections (5) to...
85. (1) Section 18 (social housing grants) is amended as follows....
86. In section 24(2)(a)(i) (disposal proceeds fund) after “section 16” insert...
87. In section 27A (social housing grants) omit subsections (5) and...
88. In section 29 (commutation of payments of special residual subsidy)...
89. In section 30(5) (general power to obtain information) omit paragraph...
90. (1) Section 36 (issue of guidance) is amended as follows....
91. In section 46(7) (appointment of manager to implement agreed proposals) —...
92. In section 49 (assistance by relevant authority) omit subsection (3)....
93. In section 53(1), (4) and (5) (general provision as to...
94. Omit section 54 (Housing Corporation determinations requiring approval).
95. In section 64 (index of defined expressions) omit the entry...
96. (1) Section 124 (introductory tenancies) is amended as follows.
97. (1) Section 125 (duration of introductory tenancy) is amended as...
98. (1) Section 143C (demoted tenancy: change of landlord) is amended...
99. (1) Section 153E (injunctions against anti-social behaviour: supplementary) is amended...
100. In section 159(2)(c) (allocation of housing accommodation) after “held by”...

101. In section 167(7)(a) (allocation scheme: consultation) after “to every” insert...
102. In section 170 (co-operation between registered social landlords and local...
103. In section 213(2)(a) (co-operation between relevant housing authorities and bodies)...
104. (1) Section 218A (anti-social behaviour: landlords’ policies and procedures) is...
105. (1) Section 219 (directions as to service charges by certain...
106. (1) Schedule 1 (registered social landlord: regulation) is amended as...
107. In paragraph 2(2) of Schedule 18 (payments to encourage local...
108. Housing Grants, Construction and Regeneration Act 1996
109. Crime and Disorder Act 1998
110. (1) Section 1 (anti-social behaviour orders) is amended as follows....
111. In section 115(2) (disclosure of information) after paragraph (d) insert—...
112. Government of Wales Act 1998
113. (1) Section 145C (studies relating to registered social landlords) is...
114. (1) Section 145D (advice and assistance for registered social landlords)...
115. (1) Section 146A (transfer etc of functions of Welsh Ministers)...
116. Greater London Authority Act 1999
117. Welfare Reform and Pensions Act 1999
118. Immigration and Asylum Act 1999
119. Enterprise Act 2002
120. Anti-social Behaviour Act 2003
121. (1) Section 25B (parenting contracts in respect of anti-social behaviour:...
122. (1) Section 26B (parenting orders in respect of anti-social behaviour:...
123. In section 26C(1) (applications under section 26A or 26B in...
124. (1) Section 27 (parenting orders: supplemental)is amended as follows.
125. (1) Section 29(1) (interpretation) is amended as follows.
126. Criminal Justice Act 2003
127. Children Act 2004
128. In section 12(8) (information databases) after paragraph (c) insert—
129. In section 29(8)(d) (information databases: Wales) after “registered social landlord”...
130. Housing Act 2004
131. In section 79(3) (licensing of houses to which Part 3...
132. In section 80(6) (designation of selective licensing areas: second set...
133. (1) Schedule 14 (buildings which are not houses in multiple...
134. National Health Service Act 2006
135. National Health Service (Wales) Act 2006

#### SCHEDULE 3 — Transitional and saving provisions

1. General
2. Saving for certain effects of the 2008 Order
3. Savings in relation to Part 1 of the 1996 Act
4. New references to registered social landlords
5. Housing Associations Act 1985
6. (1) Part 3 of the Housing Associations Act 1985 continues...

#### SCHEDULE 4 — Repeals

Explanatory Note