



# Housing Associations Act 1985

## 1985 CHAPTER 69

### PART III

#### THE HOUSING CORPORATION

##### *Constitution and other general matters*

#### 74 The Housing Corporation. **E+W**

- (1) This Part has effect with respect to the Housing Corporation, and Housing for Wales, each of which is referred to in this Part as “the Corporation”.
- (2) The provisions of Schedule 6 have effect with respect to the constitution and proceedings of, and other matters relating to, [<sup>F1</sup>the Housing Corporation].
- [<sup>F2</sup>(3) The functions conferred by this Part in relation to registered social landlords are exercisable by the Corporation in whose register they are registered.  
As to which Corporation that is, see section 56 of the Housing Act 1996.]
- [<sup>F3</sup>(4) In this Part,—
  - (a) in relation to land in Wales held by an unregistered housing association, “the Corporation” means Housing for Wales; and
  - (b) in relation to land outside Wales held by such an association, “the Corporation” means the Housing Corporation.]

#### Extent Information

- E1** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

- F1** Words substituted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. III para. 31\(2\)](#)
- F2** [S. 74\(3\)](#) substituted (1.10.1996) by [S.I. 1996/2325](#), art. 5(1), [Sch. 2 para. 15\(25\)](#)

*Status: Point in time view as at 01/10/1996.*

*Changes to legislation: There are currently no known outstanding effects for the Housing Associations Act 1985, Cross Heading: Constitution and other general matters. (See end of Document for details)*

**F3** S. 74(4) inserted by Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), **Sch. 6 Pt. III para. 31(3)**

**74 The Housing Corporation. S**

- (1) This Part has effect with respect to the Housing Corporation [<sup>F12</sup>and Housing for Wales, each of], which is referred to in this Part as “the Corporation”.
- (2) The provisions of Schedule 6 have effect with respect to the constitution and proceedings of, and other matters relating to, [<sup>F13</sup>the Housing Corporation].
- [<sup>F14</sup>(3) In this Part “registered housing association” in relation to the Corporation, means a housing association registered in the register maintained by the Corporation.
- (4) In this Part,—
  - (a) in relation to land in Wales held by an unregistered housing association, “the Corporation” means Housing for Wales; and
  - (b) in relation to land outside Wales held by such an association, “the Corporation” means the Housing Corporation.]

**Extent Information**

**E4** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

**Textual Amendments**

- F12** Words inserted by Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), **Sch. 6 Pt. III para. 31(1)**
- F13** Words substituted by Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), **Sch. 6 Pt. III para. 31(2)**
- F14** S. 74(3)(4) inserted by Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), **Sch. 6 Pt. III para. 31(3)**

**75 General functions of the Corporation. E+W**

- (1) The Corporation has the following general functions—
  - [<sup>F4</sup>(a) to facilitate the proper performance of the functions of registered social landlords;
  - (b) to maintain a register of social landlords and to exercise supervision and control over such persons;
  - (c) to promote and assist the development of self-build societies (other than registered social landlords) and to facilitate the proper performance of the functions, and to publicise the aims and principles, of such societies;]
  - (d) .....<sup>F5</sup>
  - (e) to undertake, to such extent as the Corporation considers necessary, the provision (by construction, acquisition, conversion, improvement or otherwise) of dwellings for letting or for sale and of hostels, and the management of dwellings or hostels so provided.
- (2) The Corporation shall exercise its general functions subject to and in accordance with the provisions of this Act [<sup>F6</sup>and Part I of the Housing Act 1996].
- (3) Subsection (1) is without prejudice to specific functions conferred on the Corporation by or under this Act [<sup>F7</sup>or Part I of the Housing Act 1996].

*Status: Point in time view as at 01/10/1996.*

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(4) The Corporation may do such things and enter into such transactions as are incidental to or conducive to the exercise of any of its functions, general or specific, under this Act [<sup>F7</sup>or Part I of the Housing Act 1996].

[<sup>F8</sup>(5) Section 71 of the Race Relations Act 1976 (local authorities: general statutory duty) shall apply to the Corporation as it applies to a local authority.]

#### Extent Information

**E2** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

**F4** S. 75(1)(a)-(c) substituted (1.10.1996) by 1996 c. 52, s. 55(1), **Sch. 3 para. 5**; S.I. 1996/2402, **art. 3** (with transitional provisions and savings in Sch.)

**F5** Ss. 41–51, 75(1)(d) repealed by Housing Act 1988 (c. 50, SIF 61), s. 140(2), **Sch. 18**

**F6** Words in s. 75(2) inserted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 15(26)(a)**

**F7** Words in s. 75(3)(4) inserted (1.10.1996) by S.I. 1996/2325, art. 5(1), **Sch. 2 para. 15(26)(b)**

**F8** S. 75(5) added by Housing Act 1988 (c. 50, SIF 61), s. 56

## 75 General functions of the Corporation. **S**

(1) The Corporation has the following general functions—

- (a) to promote and assist the development of registered housing associations and unregistered self-build societies;
- (b) to facilitate the proper performance of the functions, and to publicise the aims and principles, of registered housing associations and unregistered self-build societies;
- (c) to maintain [<sup>F15</sup>the register of housing associations referred to in section 3] and to exercise supervision and control over registered housing associations;
- (d) .....<sup>F16</sup>
- (e) to undertake, to such extent as the Corporation considers necessary, the provision (by construction, acquisition, conversion, improvement or otherwise) of dwellings for letting or for sale and of hostels, and the management of dwellings or hostels so provided.

(2) The Corporation shall exercise its general functions subject to and in accordance with the provisions of this Act.

(3) Subsection (1) is without prejudice to specific functions conferred on the Corporation by or under this Act.

(4) The Corporation may do such things and enter into such transactions as are incidental to or conducive to the exercise of any of its functions, general or specific, under this Act.

[<sup>F17</sup>(5) Section 71 of the Race Relations Act 1976 (local authorities: general statutory duty) shall apply to the Corporation as it applies to a local authority.]

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#### Extent Information

- E5** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

- F15** Words substituted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. III para. 32](#)  
**F16** [Ss. 41–51, 75\(1\)\(d\)](#) repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(2), [Sch. 18](#)  
**F17** [S. 75\(5\)](#) added by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 56

## 76 Directions by the Secretary of State.

- (1) The Secretary of State may give directions to the Corporation as to the exercise of its functions.
- (2) A direction as to the terms of loans made under section 79 (lending powers of Corporation) requires the consent of the Treasury.
- (3) Directions may be of a general or particular character and may be varied or revoked by subsequent directions.
- (4) Non-compliance with a direction does not invalidate a transaction between a person and the Corporation unless the person had actual notice of the direction.

## [<sup>F9</sup>76A Realisation of value of Corporation’s loans portfolio.

- (1) The Corporation may, and if so directed by the Secretary of State (under section 76) shall, enter into arrangements of a description approved by the Secretary of State for the purpose of realising the value of the whole or part of its loans portfolio.
- (2) The arrangements may provide for—
  - (a) the transfer of any estate or interest of the Corporation, or
  - (b) the creation or disposal of economic interests not involving a transfer of an estate or interest,
 and may extend to such incidental or ancillary matters as the Corporation or the Secretary of State considers appropriate.
- (3) In this section the Corporation’s “loans portfolio” means the Corporation’s rights and obligations in relation to any loans or related securities.
- (4) Nothing in the terms of any loan or related transaction entered into by the Corporation shall be construed as impliedly prohibiting or restricting the Corporation from dealing with its loans portfolio in accordance with arrangements under this section.]

#### Textual Amendments

- F9** [S. 76A](#) inserted (E.W.) (1.8.1996) by [1996 c. 52, s. 55\(1\)](#), [Sch. 3 para. 6](#); [S.I. 1996/2048, art. 2](#)

## 77 Advisory service. **E+W+S**

- (1) The Corporation may provide an advisory service for the purpose of giving advice on legal, architectural and other technical matters to [<sup>F10</sup>registered social landlords

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or unregistered housing associations] and to persons who are forming a housing association or are interested in the possibility of doing so.

(2) The Corporation may make charges for the service.

[<sup>F11</sup>(3) The powers conferred on the Corporation by subsections (1) and (2) may be exercised by the Housing Corporation and Housing for Wales acting jointly]

#### Extent Information

**E3** This version of this provision extends to England and Wales only; a separate version has been created for Scotland only

#### Textual Amendments

**F10** Words in s. 77(1) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), [Sch. 2 para. 15\(27\)](#)

**F11** S. 77(3) added by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. III para. 33](#)

### 77 **Advisory service.** **S**

(1) The Corporation may provide an advisory service for the purpose of giving advice on legal, architectural and other technical matters to housing associations (whether registered or unregistered) and to persons who are forming a housing association or are interested in the possibility of doing so.

(2) The Corporation may make charges for the service.

[<sup>F18</sup>(3) The powers conferred on the Corporation by subsections (1) and (2) may be exercised by the Housing Corporation and Housing for Wales acting jointly]

#### Extent Information

**E6** This version of this provision extends to Scotland only; a separate version has been created for England and Wales only

#### Textual Amendments

**F18** S. 77(3) added by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), [Sch. 6 Pt. III para. 33](#)

### 78 **Annual report.**

(1) The Corporation shall, as soon as possible after the end of each financial year, make a report to the Secretary of State on the exercise of its functions during the year.

(2) It shall include in the report a copy of its audited accounts and shall set out in the report any directions given to it by the Secretary of State during the year.

(3) The Secretary of State shall lay a copy of the report before each House of Parliament.

**Status:**

Point in time view as at 01/10/1996.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing Associations Act 1985, Cross Heading: Constitution and other general matters.