

SCHEDULES

SCHEDULE 7

POWERS EXERCISABLE WHERE LOAN OUTSTANDING UNDER SECTION 2 OF THE HOUSING ACT 1964

Modifications etc. (not altering text)

- C1** Sch. 7: transfer of functions (E.W.) (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), **2** (see S.I. 2008/3068, art. 2(1)(b))
- C1** Sch. 7 modified (E.W.) (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 3, **Sch. para. 3** (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

Directions as to disposal of land securing loan

- 2 (1) The [^{F1}Regulator of Social Housing] may ^{F2}... give the association directions with respect to the disposal of land belonging to the association in which the [^{F1}Regulator of Social Housing] has an interest as mortgagee under a mortgage, or as creditor in a heritable security, entered into by the association to secure the loan.
- (2) Directions so given may be varied or revoked by subsequent directions ^{F3}... .
- [^{F4}(3) The written consent of the Secretary of State is required for the giving, varying or revoking of directions by the [^{F5}Regulator of Social Housing].]

Textual Amendments

- F1** Words in Sch. 7 para. 2(1) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 57(3)** (with art. 6, Sch. 3)
- F2** Words in Sch. 7 para. 2(1) repealed (1.11.1998) by 1998 c. 38, ss. 140, 152, Sch. 16 para. 53(2)(a), **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**
- F3** Words in Sch. 7 para. 2(2) repealed (1.11.1998) by 1998 c. 38, ss. 140, 152, Sch. 16 para. 53(2)(b), **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**
- F4** Sch. 7 para. 2(3) inserted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 53(2)(c)** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 5**
- F5** Words in Sch. 7 para. 2(3) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 57(4)** (with art. 6, Sch. 3)

- 3 Where the [^{F6}Regulator of Social Housing] proposes to give a housing association directions under paragraph 2 requiring the association to transfer to the [^{F6}Regulator of Social Housing] the association's interest in any land, the Secretary of State shall not consent to the giving of the directions unless he at the same time approves, or has previously approved, a scheme under paragraph 5 with respect to that land ^{F7}....

Changes to legislation: There are currently no known outstanding effects for the Housing Associations Act 1985, Cross Heading: Directions as to disposal of land securing loan. (See end of Document for details)

Textual Amendments

- F6** Words in Sch. 7 para. 3 substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 57(5)(a)** (with art. 6, Sch. 3)
- F7** Words in Sch. 7 para. 3 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), Sch. 2 para. 57(5)(b), **Sch. 4** (with art. 6, Sch. 3)

4 ^{F8}(1) Where the ^{F9}Regulator of Social Housing] proposes to give directions under paragraph 2 to an association whose rules restrict membership to persons entitled or prospectively entitled (whether as tenants or otherwise) to occupy a dwelling provided or managed by the association requiring the association to transfer its interest in any such land to the ^{F9}Regulator of Social Housing], or to any other person, the Secretary of State shall not consent to the giving of the directions unless he is satisfied that arrangements have been made which, if the directions are given, will secure that the members of the association receive fair treatment in connection with the transfer.

^{F10}(2)

Textual Amendments

- F8** Sch. 7 para. 4 renumbered as Sch. 7 para. 4(1) (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 53(4)** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 5**
- F9** Words in Sch. 7 para. 4 substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), **Sch. 2 para. 57(6)(a)** (with art. 6, Sch. 3)
- F10** Sch. 7 para. 4(2) repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), Sch. 2 para. 57(6)(b), **Sch. 4** (with art. 6, Sch. 3)

Changes to legislation:

There are currently no known outstanding effects for the Housing Associations Act 1985, Cross
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