



Housing Act 1988

1988 CHAPTER 50

PART V

MISCELLANEOUS AND GENERAL

Right to buy etc. and grants to obtain accommodation

129 Schemes for payments to assist local housing authority tenants to obtain other accommodation

- (1) In accordance with a scheme made by a local housing authority and approved by the Secretary of State under this section, the authority may make grants to or for the benefit of qualifying tenants or licensees of the authority with a view to assisting each person to whom or for whose benefit a grant is made to obtain accommodation otherwise than as a tenant or licensee of the authority either—
 - (a) by acquiring an interest in a dwelling-house; or
 - (b) by carrying out works to a dwelling-house to provide additional accommodation; or
 - (c) by both of those means.
- (2) A scheme under this section shall contain such provisions as the local housing authority considers appropriate together with any which the Secretary of State may require as a condition of his approval and, without prejudice to the generality, a scheme may include provisions specifying, or providing for the determination of—
 - (a) the persons who are qualifying tenants or licensees for the purposes of the scheme;
 - (b) the interests which qualifying tenants or licensees may be assisted to acquire;
 - (c) the works for the carrying out of which grants may be made;
 - (d) the circumstances in which a grant may be made for the benefit of a qualifying tenant or licensee;
 - (e) the amount of the grant which may be made in any particular case and the terms on which it may be made;

Status: This is the original version (as it was originally enacted).

- (f) the limits on the total number and amount of grants which may be made; and
 - (g) the period within which the scheme is to apply.
- (3) The Secretary of State may approve a scheme made by a local housing authority under this section with or without conditions and, where a scheme has been approved, the authority shall take such steps as it considers appropriate to bring the scheme to the attention of persons likely to be able to benefit from it and shall take such other steps (if any) as the Secretary of State may direct in any particular case to secure publicity for the scheme.
- (4) The Secretary of State may revoke an approval of a scheme under this section by a notice given to the local housing authority concerned; and, where such a notice is given, the revocation shall not affect the operation of the scheme in relation to any grants made or agreed before the date of the notice.
- (5) Any grant made pursuant to a scheme under this section—
- (a) shall be regarded as a grant of a capital nature for the purposes of Part VIII of the Local Government, Planning and Land Act 1980 (capital expenditure of local authorities); and
 - (b) shall be regarded as expenditure on management for the purposes of Part II of Schedule 14 to the Housing Act 1985 (debits to the Housing Revenue Account).
- (6) Where a scheme made by a local housing authority under this section has been approved, a person dealing with the authority shall not be concerned to see or enquire whether the terms of the scheme have been or are being complied with; and any failure to comply with the terms of a scheme shall not invalidate any grant purporting to be made in accordance with the scheme unless the person to whom the grant is made has actual notice of the failure.
- (7) In this section—
- (a) “local housing authority” has the meaning assigned by section 1 of the Housing Act 1985;
 - (b) “dwelling-house” has the meaning assigned by section 112 of that Act; and
 - (c) “tenant” does not include a tenant under a long tenancy, as defined in section 115 of that Act.