



Housing Act 1996

1996 CHAPTER 52

PART I

SOCIAL RENTED SECTOR

^{F1}CHAPTER III

GRANTS AND OTHER FINANCIAL MATTERS

Textual Amendments

- F1** Pt. 1: The system of "registered social landlords" under this Part is replaced (8.9.2008 for specified purposes and 1.12.2008, 16.2.2009, 1.4.2009, 7.9.2009 and 1.4.2010 for further purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), Pt. 2. This Part continues to apply in relation to Wales with certain provisions applied in relation to England and certain provisions preserved although they apply to England only, see s. 60 of the affecting Act; [S.I. 2008/2358](#), art. 3; [S.I. 2008/3068](#), art. 3 (with arts. 6-13); [S.I. 2009/363](#), art. 2; [S.I. 2009/803](#), art. 7; [S.I. 2009/2096](#), art. 2(1); [S.I. 2010/862](#), art. 2 (with Sch.)

Grants and other financial assistance

^{F1}18 ^{F1} Social housing grants.

- (1) The [^{F2}Relevant Authority] may make grants to registered social landlords in respect of expenditure incurred or to be incurred by them in connection with their housing activities.
- (2) The [^{F2}Relevant Authority]^{F3} ... shall specify in relation to grants under this section—
 - (a) the procedure to be followed in relation to applications for grant,
 - (b) the circumstances in which grant is or is not to be payable,
 - (c) the method for calculating, and any limitations on, the amount of grant, and

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- (d) the manner in which, and time or times at which, grant is to be paid.
- (3) In making a grant under this section, the [^{F2}Relevant Authority] may provide that the grant is conditional on compliance by the landlord with such conditions as the [^{F2}Relevant Authority] may specify.
- (4) The [^{F2}Relevant Authority] may, with the agreement of a local housing authority, appoint the authority to act as its agent in connection with the assessment and payment of grant under this section.
- [^{F4}(5) The appointment—
- (a) if made by the Housing Corporation, shall be on such terms as the Housing Corporation may, with the approval of the Secretary of State given with the consent of the Treasury, specify, and
- (b) if made by the Secretary of State, shall be on such terms as the Secretary of State may, with the consent of the Treasury, specify;
- and, in either case, the authority shall act in accordance with those terms.]
- (6) Where—
- (a) a grant under this section is payable to a registered social landlord, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, another registered social landlord, or trustees for another such landlord,
- this section (including this subsection) shall have effect after that time as if the grant, or such proportion of it as is specified or determined under subsection (7), were payable to the other landlord.
- (7) The proportion mentioned in subsection (6) is that which, in the circumstances of the particular case—
- (a) the [^{F2}Relevant Authority], acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) the [^{F2}Relevant Authority] may determine to be appropriate.
- (8) Where one of the landlords mentioned in subsection (6) is registered by the Housing Corporation and another is registered by [^{F5}the Secretary of State], the determination mentioned in subsection (7) shall be such as shall be agreed between the [^{F5}Housing Corporation and the Secretary of State].

Textual Amendments

- F2** Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.
- F3** Words in s. 18(2) repealed (18.1.2005) by Housing Act 2004 (c. 34), s. 270(3)(c), Sch. 11 para. 8, **Sch. 16**
- F4** S. 18(5) substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 85(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.
- F5** Words in s. 18(8) substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 85(3)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.

Modifications etc. (not altering text)

- C1** S. 18: transfer of functions (1.12.2008) by The Transfer of Housing Corporation Functions (Modifications and Transitional Provisions) Order 2008 (S.I. 2008/2839), arts. 1(1), 2

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- C2** S. 18 modified (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. 5** (with art. 6)
- C3** S. 18(2)(7) extended (16.9.1996) by [S.I. 1996/2402](#), art. 3, **Sch. para. 1**

Commencement Information

- I1** S. 18 wholly in force 1.4.1997: s. 18 not in force at Royal Assent, see s. 232(1)-(3); s. 18(2)(7) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), **art. 4** and s. 18 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

19 Land subject to housing management agreement.

A registered social landlord is not entitled to a grant under section 18 (social housing grant) in respect of land comprised in a management agreement within the meaning of the ^{M1}Housing Act 1985 (see sections 27(2) and 27B(4) of that Act: delegation of housing management functions by certain authorities).

Marginal Citations

- M1** 1985 c. 68.

^{F1}20 ^{F1} Purchase grant where right to acquire exercised.

- (1) The [^{F6}Relevant Authority] shall make grants to registered social landlords in respect of discounts given by them to persons exercising the right to acquire conferred by section 16.
- (2) The amount of the grant for any year shall be the aggregate value of the discounts given in that year.
- (3) The [^{F6}Relevant Authority]^{F7} ... shall specify in relation to grants under this section—
 - (a) the procedure to be followed in relation to applications for grant,
 - (b) the manner in which, and time or times at which, grant is to be paid.
- (4) In making a grant the [^{F6}Relevant Authority] may provide that the grant is conditional on compliance by the registered social landlord with such conditions as the [^{F6}Relevant Authority] may specify.

Textual Amendments

- F6** Words in Pt. I substituted (1.11.1998) by [1998 c. 38, s. 140, Sch. 16 para. 82\(1\)\(2\)](#) (with ss. 139(2), 141(1), 143(2)); [S.I. 1998/2244, art.5](#).
- F7** Words in s. 20(3) repealed (18.1.2005) by [Housing Act 2004 \(c. 34\), s. 270\(3\)\(c\), Sch. 11 para. 9, Sch. 16](#)

Modifications etc. (not altering text)

- C4** S. 20 modified (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. 5** (with art. 6)
- C5** S. 20: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), **2**
- C6** S. 20(3) extended (16.9.1996) by [S.I. 1996/2402, art. 3, Sch. para. 1](#)

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Commencement Information

- I2** S. 20 wholly in force 1.4.1997: s. 20 not in force at Royal Assent, see s. 232(1)-(3); s. 20(3) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), [art. 4](#) and s. 20 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), [art. 2](#)

^{F1}21 ^{F1} Purchase grant in respect of other disposals.

- (1) The [^{F8}Relevant Authority] may make grants to registered social landlords in respect of discounts on disposals by them of dwellings to tenants otherwise than in pursuance of the right conferred by section 16.
- (2) The [^{F8}Relevant Authority] shall make such a grant if the tenant was entitled to exercise the right conferred by section 16 in relation to another dwelling of the landlord's.
- The amount of the grant in such a case shall not exceed the amount of the discount to which the tenant would have been entitled in respect of the other dwelling.
- (3) The [^{F8}Relevant Authority]^{F9} ... shall specify in relation to grants under this section—
- (a) the procedure to be followed in relation to applications for grant;
 - (b) the circumstances in which grant is or is not to be payable;
 - (c) the method for calculating, and any limitations on, the amount of grant; and
 - (d) the manner in which, and time or times at which, grant is to be paid.
- (4) In making a grant under this section, the [^{F8}Relevant Authority] may provide that the grant is conditional on compliance by the registered social landlord with such conditions as the [^{F8}Relevant Authority] may specify.

Textual Amendments

- F8** Words in Pt. I substituted (1.11.1998) by [1998 c. 38](#), s. 140, [Sch. 16 para. 82\(1\)\(2\)](#) (with [ss. 139\(2\)](#), [141\(1\)](#), [143\(2\)](#)); [S.I. 1998/2244](#), [art. 5](#).
- F9** Words in s. 21(3) repealed (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), s. 270(3)(c), [Sch. 11 para. 10](#), [Sch. 16](#)

Modifications etc. (not altering text)

- C7** S. 21: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), [2](#)
- C8** S. 21 modified (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. 5](#) (with art. 6)
- C9** S. 21(3) extended (16.9.1996) by [S.I. 1996/2402](#), art. 3, [Sch. para. 1](#)

Commencement Information

- I3** S. 21 wholly in force 1.4.1997: s. 21 not in force at Royal Assent, see s. 232(1)-(3); s. 21(3) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), [art. 4](#) and s. 21 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), [art. 2](#)

22 Assistance from local authorities.

- (1) A local authority may promote—
- (a) the formation of bodies to act as registered social landlords, and
 - (b) the extension of the objects or activities of registered social landlords.

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- (2) A local authority may for the assistance of any registered social landlord subscribe for share or loan capital of the landlord.
- (3) A local authority may for the assistance of a registered social landlord—
 - (a) make grants or loans to the landlord, or
 - (b) guarantee or join in guaranteeing the payment of the principal of, and interest on, money borrowed by the landlord (including money borrowed by the issue of loan capital) or of interest on share capital issued by the landlord.
- (4) A local housing authority may sell or supply under a hire-purchase agreement furniture to the occupants of houses provided by a registered social landlord, and may buy furniture for that purpose.

In this subsection “hire-purchase agreement” means a hire-purchase agreement or conditional sale agreement within the meaning of the ^{M2}Consumer Credit Act 1974.

Modifications etc. (not altering text)

C10 S. 22 extended (16.9.1996) by S.I. 1996/2402, art. 3, Sch. para. 1

Marginal Citations

M2 1974 c. 39.

23 Loans by Public Works Loans Commissioners.

- (1) The Public Works Loans Commissioners may lend money to a registered social landlord—
 - (a) for the purpose of constructing or improving, or facilitating or encouraging the construction or improvement, of dwellings,
 - (b) for the purchase of dwellings which the landlord desires to purchase with a view to their improvement, and
 - (c) for the purchase and development of land.
- (2) A loan for any of those purposes, and interest on the loan, shall be secured by a mortgage of—
 - (a) the land in respect of which that purpose is to be carried out, and
 - (b) such other lands (if any) as may be offered as security for the loan;and the money lent shall not exceed three-quarters (or, if the payment of the principal of, and interest on, the loan is guaranteed by a local authority, nine-tenths) of the value, to be ascertained to the satisfaction of the Public Works Commissioners, of the estate or interest in the land proposed to be so mortgaged.
- (3) Loans may be made by instalments as the building of dwellings or other work on the land mortgaged under subsection (2) progresses (so, however, that the total amount lent does not at any time exceed the amount specified in that subsection); and a mortgage may accordingly be made to secure such loans to be so made.
- (4) If the loan exceeds two-thirds of the value referred to in subsection (2), and is not guaranteed as to principal and interest by a local authority, the Public Works Loans Commissioners shall require, in addition to such a mortgage as is mentioned in that subsection, such further security as they think fit.

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- (5) Subject to subsection (6), the period for repayment of a loan under this section shall not exceed 40 years, and no money shall be lent on mortgage of any land unless the estate proposed to be mortgaged is either an estate in fee simple absolute in possession or an estate for a term of years absolute of which not less than 50 years are unexpired at the date of the loan.
- (6) Where a loan under this section is made for the purpose of carrying out a scheme for the provision of houses approved by the Secretary of State, the maximum period for the repayment of the loan is 50 instead of 40 years, and money may be lent on the mortgage of an estate for a term of years absolute of which a period of not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan.

Modifications etc. (not altering text)

C11 S. 23 extended (16.9.1996) by *S.I. 1996/2402, art. 3*, Sch. para. 1

Treatment of disposal proceeds

24 The disposal proceeds fund.

- (1) A registered social landlord shall show separately in its accounts for any period ending after the coming into force of this section its net disposal proceeds.
- (2) The net disposal proceeds of a registered social landlord are—
- (a) the net proceeds of sale received by it in respect of any disposal of land to a tenant—
 - (i) in pursuance of the right conferred by section 16 (right of tenant to acquire dwelling), or
 - (ii) in respect of which a grant was made under section 21 (purchase grant in respect of other disposals);
 - (b) payments of grant received by it under section 20 or 21 (purchase grant);
 - (c) where any such grant has been paid to it, any repayments of discount in respect of which the grant was given; and
 - (d) such other proceeds of sale or payments of grant (if any) as the [^{F10}Relevant Authority] may from time to time determine.
- (3) The net proceeds of sale means the proceeds of sale less an amount calculated in accordance with a determination by the [^{F10}Relevant Authority].
- (4) The disposal proceeds shall be shown in a fund to be known as a disposal proceeds fund.
- (5) The method of constituting the fund and showing it in the landlord's accounts shall be as required by determination of the [^{F10}Relevant Authority] under paragraph 16 of Schedule 1 (general requirements as to accounts).
- (6) Interest shall be added to the fund in accordance with a determination made by the [^{F10}Relevant Authority].
- (7) Where this section applies in relation to the proceeds of sale arising on a disposal, section 27 below (recovery, &c. of social housing grants) and section 52 of the

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^{M3}Housing Act 1988 (recovery, &c. of grants under that Act and earlier enactments) do not apply.

Textual Amendments

F10 Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.

Commencement Information

I4 S. 24 wholly in force 1.4.1997; s. 24 not in force at Royal Assent see s. 232(3); s.24 in force for certain purposes at 1.8.1996 by S.I. 1996/2048, **art. 3** and s. 24 in force at 1.4.1997 to the extent it is not already in force by S.I. 1997/618, **art. 2**

Marginal Citations

M3 1988 c. 50.

25 Application or appropriation of disposal proceeds.

- (1) The sums standing in the disposal proceeds account of a registered social landlord (“disposal proceeds”) may only be applied or appropriated by it for such purposes and in such manner as the [^{F11}Relevant Authority] may determine.
- (2) If any disposal proceeds are not applied or appropriated as mentioned in subsection (1) within such time as is specified by determination of the [^{F11}Relevant Authority], the [^{F11}Relevant Authority] may direct that the whole or part of them shall be paid to it.

Textual Amendments

F11 Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.

Modifications etc. (not altering text)

C12 S. 25 extended (16.9.1996) by S.I. 1996/2402, **art. 3**, **Sch. para. 1**

Commencement Information

I5 S. 25 wholly in force 1.4.1997; s. 25 not in force at Royal Assent, see s. 232(1)-(3); s. 25 in force for certain purposes at 1.10.1996 by S.I. 1996/2402, **art. 4** and s. 25 in force at 1.4.1997 to the extent it is not already in force by S.I. 1997/618, **art. 2**

26 Disposal proceeds: power to require information.

- (1) The [^{F12}Relevant Authority] may give notice—
 - (a) to all registered social landlords,
 - (b) to registered social landlords of a particular description, or
 - (c) to particular registered social landlords,requiring them to furnish it with such information as it may reasonably require in connection with the exercise of its functions under sections 24 and 25 (treatment of disposal proceeds).

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- (2) A notice under subsection (1)(a) or (b) may be given by publication in such manner as the [^{F12}Relevant Authority] considers appropriate for bringing it to the attention of the landlords concerned.

Textual Amendments

F12 Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.

Recovery, &c. of social housing grants

^{F127} ^{F1} **Recovery, &c. of social housing grants.**

- (1) Where a registered social landlord has received a grant under section 18 (social housing grant), the following powers are exercisable in such events as the [^{F13}Relevant Authority] may from time to time determine.
- (2) The [^{F13}Relevant Authority] may, acting in accordance with such principles as it has determined—
- (a) reduce any grant payable by it, or suspend or cancel any instalment of any such grant, or
 - (b) direct the registered social landlord to apply or appropriate for such purposes as the [^{F13}Relevant Authority] may specify, or to pay to the [^{F13}Relevant Authority], such amount as the [^{F13}Relevant Authority] may specify.
- (3) A direction by the [^{F13}Relevant Authority] under subsection (2)(b) may require the application, appropriation or payment of an amount with interest.
- (4) Any such direction shall specify—
- (a) the rate or rates of interest (whether fixed or variable) which is or are applicable,
 - (b) the date from which interest is payable, and
 - (c) any provision for suspended or reduced interest which is applicable.

The date from which interest is payable must not be earlier than the date of the event giving rise to the exercise of the [^{F13}Relevant Authority] powers under this section.

- (5) In subsection (4)(c)—
- (a) provision for suspended interest means provision to the effect that if the principal amount is applied, appropriated or paid before a date specified in the direction, no interest will be payable for any period after the date of the direction; and
 - (b) provision for reduced interest means provision to the effect that if the principal amount is so applied, appropriated or paid, any interest payable will be payable at a rate or rates lower than the rate or rates which would otherwise be applicable.
- (6) Where—
- (a) a registered social landlord has received a payment in respect of a grant under section 18, and

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- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, some other registered social landlord, this section (including this subsection) shall have effect in relation to periods after that time as if the grant, or such proportion of it as may be determined by the [^{F13}Relevant Authority] to be appropriate, had been made to that other registered social landlord.
- (7) The matters specified in a direction under subsection (4)(a) to (c), and the proportion mentioned in subsection (6), shall be—
- (a) such as the [^{F13}Relevant Authority], acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) such as the [^{F13}Relevant Authority] may determine to be appropriate in the particular case.

Textual Amendments

F13 Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.

Modifications etc. (not altering text)

C13 S. 27 extended (16.9.1996) by S.I. 1996/2402, **art. 3, Sch. para. 1**

C14 S. 27: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008](#) (S.I. 2008/2839), arts. 1(1), 2

C15 S. 27 modified (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. 5** (with art. 6)

Commencement Information

I6 S. 27 wholly in force 1.4.1997: s. 27 not in force at Royal Assent, see s. 232(1)-(3); s. 27 in force for certain purposes at 1.10.1996 by S.I. 1996/2402, **art. 4** and s. 27 in force at 1.4.1997 to the extent it is not already in force by S.I. 1997/618, **art. 2**

[^{F14}Grants to bodies other than registered social landlords

Textual Amendments

F14 Ss. 27A, 27B and cross-heading inserted (18.11.2004 for specified purposes, 17.2.2005 for E. in so far as not already in force) by [Housing Act 2004](#) (c. 34), **ss. 220, 270(2)(b)**; S.I. 2005/326, **art. 2(a)**

^{F1}**27A** ^{F1}**Grants to bodies other than registered social landlords**

- (1) The Relevant Authority may make grants under this section to persons other than registered social landlords.
- (2) Grants under this section are grants for any of the following purposes—
- (a) acquiring, or repairing and improving, or creating by the conversion of houses or other property, houses to be disposed of—
- (i) under equity percentage arrangements, or
- (ii) on shared ownership terms;
- (b) constructing houses to be disposed of—
- (i) under equity percentage arrangements, or

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- (ii) on shared ownership terms;
 - (c) providing loans to be secured by mortgages to assist persons to acquire houses for their own occupation;
 - (d) providing, constructing or improving houses to be kept available for letting;
 - (e) providing, constructing or improving houses for letting that are to be managed by such registered social landlords, and under arrangements containing such terms, as are approved by the Relevant Authority;
 - (f) such other purposes as may be specified in an order under subsection (3).
- (3) The Secretary of State may by order make such provision in connection with the making of grants under this section as he considers appropriate.
- (4) An order under subsection (3) may, in particular, make provision—
- (a) defining “equity percentage arrangements” for the purposes of this section;
 - (b) specifying or describing the bodies from whom loans may be obtained by persons wishing to acquire houses for their own occupation;
 - (c) dealing with the priority of mortgages entered into by such persons;
 - (d) specifying purposes additional to those mentioned in subsection (2)(a) to (e).
- (5) As regards grants made by the Housing Corporation, an order under subsection (3) may also require the imposition of conditions in connection with such grants, and for this purpose may—
- (a) prescribe conditions that are to be so imposed;
 - (b) prescribe matters about which conditions are to be so imposed and any particular effects that such conditions are to achieve.
- (6) The Relevant Authority shall specify in relation to grants under this section—
- (a) the procedure to be followed in relation to applications for grant,
 - (b) the circumstances in which grant is or is not to be payable,
 - (c) the method for calculating, and any limitations on, the amount of grant, and
 - (d) the manner in which, and the time or times at which, grant is to be paid.
- (7) If, by virtue of subsection (5), an order under subsection (3) requires conditions to be imposed by the Housing Corporation in connection with a grant to a person under this section, the Corporation in making the grant—
- (a) must provide that the grant is conditional on compliance by the person with such conditions as are required by the order; and
 - (b) if it exercises its power to impose conditions under subsection (8), must not impose any that are inconsistent with the requirements of the order.
- (8) In making a grant to a person under this section the Relevant Authority may provide that the grant is conditional on compliance by the person with such conditions as the Authority may specify.
- (9) The conditions that may be so specified include conditions requiring the payment to the Relevant Authority in specified circumstances of a sum determined by the Authority (with or without interest).
- (10) An order under subsection (3) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (11) In this section—

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“disposed of on shared ownership terms” has the meaning given by section 2(6);

“letting” includes the grant of a licence to occupy.

Modifications etc. (not altering text)

C16 S. 27A modified (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. 5** (with art. 6)

C17 S. 27A: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 2

^{F1}27B **^{F1}Transfer of property funded by grants under section 27A**

(1) Where—

- (a) any grant is paid or payable to any person under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, another person who is not a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 27A.

(2) Where—

- (a) any amount is paid or payable to any person by way of grant under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 18.

(3) In such a case, the relevant section 18 conditions accordingly apply to that grant or proportion of it, in relation to times falling after that time, in place of those specified under section 27A(8).

“The relevant section 18 conditions” means such conditions specified under section 18(3) as would have applied at the time of the making of the grant if it had been made under section 18 to a registered social landlord.

(4) The proportion mentioned in subsection (1) or (2) is that which, in the circumstances of the particular case—

- (a) the Relevant Authority, acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) the Relevant Authority may determine to be appropriate.]

Modifications etc. (not altering text)

C18 S. 27B modified (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. 5** (with art. 6)

C19 S. 27B: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 2

Status: Point in time view as at 01/12/2008.

Changes to legislation: Housing Act 1996, Chapter III is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Grants, &c. under earlier enactments

28 Grants under ss.50 to [F15 54] of the Housing Act 1988.

- (1) No application for a grant under section 50 of the ^{M4}Housing Act 1988 (housing association grant) may be made after the commencement of this subsection.
- (2) No application for a grant under section 51 of that Act (revenue deficit grant) may be made after the commencement of this subsection except by an association which had such a deficit as is mentioned in that section for any of the years beginning 1st April 1994, 1st April 1995 or 1st April 1996.
- (3) Section 52 of that Act (recovery, &c. of grants) is amended as follows—
 - (a) in subsection (2)(c), for “to pay to it” substitute “ to apply or appropriate for such purposes as the [F16Relevant Authority] may specify, or to pay to the [F16Relevant Authority], ”;
 - (b) in the closing words of subsection (2), for the words from “requiring” to “interest on that amount” substitute “ may require the application, appropriation or payment of an amount with interest ”;
 - (c) in subsection (7), for the words from “requiring” to “to the [F16Relevant Authority]” substitute “ requiring the application, appropriation or payment of an amount with interest ”;
 - (d) in subsection (8)(a), for the words from “the amount” to “is paid” substitute “ the principal amount is applied, appropriated or paid ”;
 - (e) in subsection (8)(b), for “that amount is so paid” substitute “ the principal amount is so applied, appropriated or paid ”.
- (4) In section 53 of that Act (determinations by [F16Relevant Authority]), for subsection (2) (requirement of approval of Secretary of State and, in the case of a general determination, consent of the Treasury) substitute—

“(2) The [F16Relevant Authority] shall not make a general determination under the foregoing provisions of this Part except with the approval of the Secretary of State.”.
- (5) In section 55(1) of that Act (surplus rental income: cases in which section applies), omit paragraph (a).
- (6) Any reference in sections 50 to [F17 54] of that Act to registration as a housing association shall be construed after the commencement of section 1 of this Act (the register of social landlords) as a reference to registration as a social landlord.

Textual Amendments

- F15** Word in s. 28 sidenote substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), s. 270(3)(c), [Sch. 11 para. 11](#)
- F16** Words in Pt. I substituted (1.11.1998) by [1998 c. 38](#), s. 140, [Sch. 16 para. 82\(1\)\(2\)](#) (with ss. 139(2), 141(1), 143(2)); [S.I. 1998/2244](#), [art.5](#).
- F17** Word in s. 28(6) substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), s. 270(3)(c), [Sch. 11 para. 11](#)

Modifications etc. (not altering text)

- C20** S. 28(3) extended (16.9.1996) by [S.I. 1996/2402](#), [art. 3](#), [Sch. para. 1](#)

Status: Point in time view as at 01/12/2008.

Changes to legislation: Housing Act 1996, Chapter III is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

- I7** S. 28 wholly in force 1.4.1997; s. 28 not in force at Royal Assent see s. 232(1)-(3); s.28(4) in force at 1.8.1996 by [S.I. 1996/2048, art. 2](#); s. 28(3) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402, art. 5](#) and s. 28 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618, art. 2](#)

Marginal Citations

- M4** 1988 c. 50.

^{F1}29 ^{F1} Commutation of payments of special residual subsidy.

- (1) The Secretary of State may, after consultation with a housing association, determine to commute any payments of special residual subsidy payable to the association under paragraph 2 of Part I of Schedule 5 to the ^{M5}Housing Associations Act 1985 for the financial year 1998-99 and subsequent years.
- (2) Where the Secretary of State makes such a determination the payments of special residual subsidy payable to a housing association shall be commuted into a single sum calculated in such manner, and payable on such date, as the Secretary of State may consider appropriate.
- (3) If after a commuted payment has been made to a housing association it appears to the Secretary of State that the payment was smaller or greater than it should have been, the Secretary of State may make a further payment to the association or require the association to repay to him such sum as he may direct.
- (4) The Secretary of State may delegate to the Housing Corporation, to such extent and subject to such conditions as he may specify, any of his functions under this section and, where he does so, references to him in this section shall be construed accordingly.

Modifications etc. (not altering text)

- C21** S. 29 modified (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. 5](#) (with art. 6)

Commencement Information

- I8** S. 29 wholly in force 1.4.1997; s. 29 not in force at Royal Assent see s. 232(3); s. 29 in force for certain purposes at 1.8.1996 by [S.I. 1996/2048, art. 3](#) and s. 29 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618, art. 2](#)

Marginal Citations

- M5** 1985 c. 69.

Status:

Point in time view as at 01/12/2008.

Changes to legislation:

Housing Act 1996, Chapter III is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.