

*Status: Point in time view as at 31/01/2008.*

*Changes to legislation: Government of Wales Act 1998, Cross Heading: The Housing Act 1988 (c.50) is up to date with all changes known to be in force on or before 04 September 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)*

## SCHEDULES

### SCHEDULE 16

#### HOUSING FOR WALES

##### Commencement Information

**II** Sch. 16 in force at 1.11.1998 by S.I. 1998/2244, art. 5

##### *The Housing Act 1988 (c.50)*

- 59 The Housing Act 1988 has effect subject to the following amendments.
- 60 In section 35(5) (protected and statutory tenancies not prevented from being housing association tenancies or secure tenancies where landlord interest becomes held by certain bodies), for “, the Housing Corporation or Housing for Wales” substitute “ or the Housing Corporation ”.
- 61 (1) Subject to the following provisions, in each place in Part II (including headings) except in the phrases “Housing Corporation” and “the Income and Corporation Taxes Act 1988”, for “Corporation” substitute “ Relevant Authority ”.
- (2) Sub-paragraph (1) and paragraphs 64 to 66 extend only to England and Wales.
- 62 Omit section 46 (Housing for Wales).
- 63 Omit section 47 (transfer to Housing for Wales of regulation etc. of housing associations based in Wales).
- 64 (1) Section 50 (housing association grants applied for before the commencement of section 28(1) of the <sup>M1</sup>Housing Act 1996) is amended as follows.
- (2) For subsection (5) (approval required for appointment of local housing authority as agent) substitute—
- “(5) In subsection (4) above “the appropriate approval” means—
- (a) if the appointment is made by the Housing Corporation, the approval of the Secretary of State given with the consent of the Treasury, and
- (b) if the appointment is made by the Secretary of State, the consent of the Treasury.”
- (3) In subsection (8) (agreements between the Housing Corporation and Housing for Wales)—
- (a) for “Housing for Wales” substitute “ the Secretary of State ”, and

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- (b) for “two Corporations” substitute “ Housing Corporation and the Secretary of State ”.

**Marginal Citations**

M1 1996 c. 52.

- 65 In section 53(2) (general determinations by the Corporation only to be made with approval of Secretary of State), for “Corporation” substitute “ Housing Corporation ”.
- 66 In section 57 (delegation of functions by Secretary of State)—
- (a) for “Corporation” substitute “ Housing Corporation ”,
  - (b) after “functions” insert “ , so far as they relate to English registered social landlords, ”, and
  - (c) at the end insert—

“In this section “English registered social landlords” means social landlords registered in the register maintained by the Housing Corporation under section 1 of the <sup>M2</sup>Housing Act 1996.”

**Marginal Citations**

M2 1996 c. 52.

- 67 In section 59(2) (introduction of Schedule 6)—
- (a) in paragraph (b), omit “the establishment by this Part of this Act of Housing for Wales and”, and
  - (b) in paragraph (c), for “other” substitute “ the ”.
- 68 In section 81 (consent of Secretary of State to certain subsequent disposals of houses disposed of by housing action trusts)—
- (a) in subsection (6), for “Corporation” (in both places) substitute “ Housing Corporation ”, and
  - (b) in subsection (7), for “in accordance with subsection (6) above” substitute “ under this section ”.
- 69 (1) Section 82 (legal assistance to tenants) is amended as follows.
- (2) In subsections (2), (3) and (4) (and in the side-note), for “Corporation” (in each place) substitute “ Relevant Authority ”.
- (3) In subsection (5)—
- (a) for “Corporation”, in the first and second places, substitute “ Relevant Authority ”, and
  - (b) for “which Corporation that is” substitute “ whether that is the Housing Corporation or the Secretary of State ”.

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- 70 Omit section 92(2) (meaning of “the Corporation” in Part III).
- 71 In section 133 (consent of Secretary of State to certain subsequent disposals of houses disposed of by local authorities)—
- (a) in subsection (6), omit “or Housing for Wales”, and
  - (b) in subsection (7), for “in accordance with subsection (6) above” substitute “under this section”.
- 72 In section 140(1) (amendments), omit the words “and in that Schedule” onwards.
- 73 Omit Schedule 5 (constitution etc. of Housing for Wales).

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