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# Housing Act 2004

## 2004 CHAPTER 34

### PART 7

#### SUPPLEMENTARY AND FINAL PROVISIONS

##### *Final provisions*

#### **265 Minor and consequential amendments**

- (1) Schedule 15 (which contains minor and consequential amendments) has effect.
- (2) The Secretary of State may by order make such supplementary, incidental or consequential provision as he considers appropriate—
  - (a) for the general purposes, or any particular purpose, of this Act; or
  - (b) in consequence of any provision made by or under this Act or for giving full effect to it.
- (3) An order under subsection (2) may modify any enactment (including this Act).

“Enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30)).
- (4) The power conferred by subsection (2) is also exercisable by the National Assembly for Wales in relation to provision dealing with matters with respect to which functions are exercisable by the Assembly.
- (5) Nothing in this Act affects the generality of the power conferred by this section.

#### **Commencement Information**

- II** [S. 265](#) partly in force; [s. 265\(2\)-\(5\)](#) in force at Royal Assent see [s. 270\(2\)\(a\)](#); [s. 265\(1\)](#) in force for W. for certain purposes at 14.7.2005 by [S.I. 2005/1814](#), [art. 2\(d\)](#); [s. 265\(1\)](#) in force for E. for certain purposes at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); [s. 265\(1\)](#) in force for W. for certain purposes at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(b\)](#) (with [art. 3](#), [Sch.](#)); [s. 265\(1\)](#) in force for E. for

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certain purposes at 2.1.2007 by S.I. 2006/3191, [art. 2\(c\)](#); s. 265(1) in force for W. for certain purposes at 13.12.2007 by S.I. 2007/3232, [art. 2\(c\)](#)

VALID FROM 06/04/2006

## 266 Repeals

Schedule 16 (which contains repeals) has effect.

### Commencement Information

- I2** [S. 266](#) partly in force; [s. 266](#) not in force at Royal Assent see [s. 270\(4\)\(5\)](#); [s. 266](#) in force for E. for certain purposes at 6.4.2006 by S.I. 2006/1060, [art. 2\(1\)\(e\)](#) (with Sch.); [s. 266](#) in force for W. for certain purposes at 16.6.2006 by S.I. 2006/1535, [art. 2\(c\)](#) (with Sch.); [s. 266](#) in force for E. for certain purposes at 6.4.2007 by S.I. 2007/1068, [art. 2\(b\)](#)

## 267 Devolution: Wales

In Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) references to the following Acts are to be treated as references to those Acts as amended by virtue of this Act—

- (a) the Housing Act 1985 (c. 68);
- (b) the Housing Act 1988 (c. 50);
- (c) the Housing Act 1996 (c. 52).

## 268 The Isles of Scilly

- (1) This Secretary of State may by order provide that, in its application to the Isles of Scilly, this Act is have effect with such modifications as are specified in the order.
- (2) Where a similar power is exercisable under another Act in relation to provisions of that Act which are amended by this Act, the power is exercisable in relation to those provisions as so amended.

## 269 Expenses

There shall be paid out of money provided by Parliament—

- (a) any expenditure incurred by the Secretary of State by virtue of this Act;
- (b) any increase attributable to this Act in the sums payable out of money so provided under any other enactment.

## 270 Short title, commencement and extent

- (1) This Act may be cited as the Housing Act 2004.
- (2) The following provisions come into force on the day on which this Act is passed—
  - (a) sections 2, 9, 161 to 164, 176, 190, 208, 216, 233, 234, 244, 248, 250, 252, 264, 265(2) to (5), 267 to 269 and this section, and

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- (b) any other provision of this Act so far as it confers any power to make an order or regulations which is exercisable by the Secretary of State or the National Assembly for Wales.

Subsections (3) to (7) have effect subject to paragraph (b).

- (3) The following provisions come into force at the end of the period of two months beginning with the day on which this Act is passed—
  - (a) sections 180, 182 to 189, 195 to 207, 209 to 211, 217, 218, 219, 222, 224, 245 to 247, 249, 251 and 253 to 263,
  - (b) Schedule 9,
  - (c) Schedule 11, except paragraphs 15 and 16, and
  - (d) Schedule 14.
- (4) The provisions listed in subsection (5) come into force—
  - (a) where they are to come into force in relation only to Wales, on such day as the National Assembly for Wales may by order appoint, and
  - (b) otherwise, on such day as the Secretary of State may by order appoint.
- (5) The provisions referred to in subsection (4) are—
  - (a) Part 1 (other than sections 2 and 9),
  - (b) Parts 2 to 4,
  - (c) sections 179, 181, 191 to 194, 212 to 215, 220, 221, 223, 225, 226, 227, 229 to 232, 235 to 243, 265(1) and 266,
  - (d) Schedule 10,
  - (e) paragraphs 15 and 16 of Schedule 11, and
  - (f) Schedules 13, 15 and 16.
- (6) Part 5 (other than sections 161 to 164 and 176) comes into force on such day as the Secretary of State may by order appoint.
- (7) Section 228 and Schedule 12 come into force on such day as the National Assembly for Wales may by order appoint.
- (8) Different days may be appointed for different purposes or different areas under subsection (4), (6) or (7).
- (9) The Secretary of State may by order make such provision as he considers necessary or expedient for transitory, transitional or saving purposes in connection with the coming into force of any provision of this Act.
- (10) The power conferred by subsection (9) is also exercisable by the National Assembly for Wales in relation to provision dealing with matters with respect to which functions are exercisable by the Assembly
- (11) Subject to subsections (12) and (13), this Act extends to England and Wales only.
- (12) Any amendment or repeal made by this Act has the same extent as the enactment to which it relates, except that any amendment or repeal in—
  - the Mobile Homes Act 1983 (c. 34), or
  - the Crime and Disorder Act 1998 (c. 37),extends to England and Wales only.
- (13) This section extends to the whole of the United Kingdom.

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### Subordinate Legislation Made

- P1** S. 270(4)(5) power partly exercised: 17.2.2005 appointed for specified provisions by {S.I. 2005/326}, art. 2;  
 S. 270(4)(5) power partly exercised: 27.4.2005 appointed for specified provisions by {S.I. 2005/1120}, art. 2;  
 S. 270(4)(5) power partly exercised: 6.6.2005 and 15.6.2005 appointed for specified provisions by {S.I. 2005/1451}, arts. 2, 3;  
 S. 270(4)(5) power partly exercised: 4.7.2005 appointed for specified provisions by {S.I. 2005/1729}, art. 2 (with art. 3);  
 S. 270(4)(5) power partly exercised: 14.7.2005 appointed for specified provisions by {S.I. 2005/1814}, art. 2;  
 S. 270(4)(5) power partly exercised: 25.11.2005 appointed for specified provisions by {S.I. 2005/3237}, art. 2;  
 S. 270(4)(5) power partly exercised: 6.4.2006 and 6.7.2006 appointed for specified provisions by {S.I. 2006/1060}, art. 2 (with art. 3, Sch.);  
 S. 270(4)(5) power partly exercised: 16.6.2006 appointed for specified provisions by {S.I. 2006/1535}, art. 2 (with art. 3, Sch.);  
 S. 270(4)(5) power partly exercised: 2.1.2007 appointed for specified provisions and purposes by {S.I. 2006/3191}, art. 2;  
 S. 270(4)(5) power partly exercised: 6.4.2007 appointed for specified provisions by {S.I. 2007/305}, art. 2;  
 S. 270(4)(5) power partly exercised: 6.4.2007 appointed for specified provisions by {S.I. 2007/1068}, art. 2;  
 S. 270(4)(5) power partly exercised: 13.12.2007 appointed for specified provisions by {S.I. 2007/3232}, art. 2
- P2** S. 270(6) power partly exercised: 1.8.2007 appointed for specified provisions and purposes by {S.I. 2007/1668}, arts. 2-4;  
 S. 270(6) power partly exercised: 10.9.2007 appointed for specified provisions and purposes by {S.I. 2007/2471}, arts. 2-4;  
 S. 270(6) power partly exercised: 14.12.2007 appointed for specified provisions and purposes by {S.I. 2007/3308}, arts. 2-4;  
 S. 270(6) power fully exercised: 6.8.2008 appointed for specified provisions by {S.I. 2008/898}, art. 2
- P3** S. 270(7) power fully exercised: 14.7.2005 appointed for specified provisions by {S.I. 2005/1814}, art. 2

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