
Status: Point in time view as at 14/11/2012.

Changes to legislation: Housing and Regeneration Act 2008, Cross Heading: Functions in relation to companies and other persons is up to date with all changes known to be in force on or before 07 July 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)



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 1

THE HOMES AND COMMUNITIES AGENCY

CHAPTER 4

OTHER FUNCTIONS OF THE HCA

Functions in relation to companies and other persons

41 Control of subsidiaries

- (1) The HCA must ensure that no subsidiary of the HCA engages, without the consent of the Secretary of State, in an activity which the HCA would not be required or permitted to carry on.
- (2) The HCA must ensure that no subsidiary of the HCA—
 - (a) borrows from a person other than the HCA, or
 - (b) raises money by the issue of shares or stock to a person other than the HCA, without the consent of the Secretary of State.

Commencement Information

II S. 41 in force at 1.12.2008 by S.I. 2008/3068, art. 2(1)(q) (with arts. 6-13)

42 Agency arrangements with UDCs

- (1) The HCA may, with the consent of the Secretary of State, appoint an urban development corporation to act as its agent.
- (2) The appointment—

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- (a) may be in connection with any of the functions of the HCA other than its functions in connection with Chapter 3 [^{F1}or the functions to which subsection (2A) applies], and
 - (b) is to be on such terms as may be agreed.
- [^{F2}(2A) The functions to which this subsection applies are the functions conferred on the HCA—
- (a) as the regulator by virtue of Part 2, or
 - (b) as the Regulator of Social Housing by virtue of any other enactment or instrument.]
- (3) The appointment must specify the functions in connection with which it is made.
 - (4) An urban development corporation must act as agent in accordance with the terms of its appointment.
 - (5) An urban development corporation may arrange for any of its property or staff to be made available to the HCA if—
 - (a) the purpose is to assist the HCA to exercise any of its functions, and
 - (b) the HCA asks the urban development corporation to make the property or staff available.
 - (6) The property or staff are to be made available for such period, and on such other terms, as the urban development corporation considers appropriate.
 - (7) In this Part “urban development corporation” means a corporation established by an order under section 135 of the Local Government, Planning and Land Act 1980 (c. 65).

Textual Amendments

- F1** Words in s. 42(2)(a) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 16 para. 8\(2\)](#); [S.I. 2012/628](#), [art. 6\(i\)](#) (with [arts. 911141517](#))
- F2** S. 42(2A) inserted (1.4.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 16 para. 8\(3\)](#); [S.I. 2012/628](#), [art. 6\(i\)](#) (with [arts. 911141517](#))

Commencement Information

- I2** S. 42 in force at 1.12.2008 by [S.I. 2008/3068](#), [art. 2\(1\)\(r\)](#) (with [arts. 6-13](#))

43 Acting with, or for, other persons: general

- (1) The HCA may act with other persons (whether in partnership or otherwise).
- (2) The HCA may act as agent for other persons.

Commencement Information

- I3** [S. 43](#) in force at 1.12.2008 by [S.I. 2008/3068](#), [art. 2\(1\)\(s\)](#) (with [arts. 6-13](#))

44 Local government involvement

- (1) The HCA must from time to time consult such representatives of local government as the HCA considers appropriate about how the HCA pursues its objects.

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- (2) The HCA must from time to time publish a statement about how it proposes to comply with subsection (1).
- (3) Before publishing a statement the HCA must consult such persons as it considers appropriate.

Commencement Information

I4 [S. 44](#) in force at 8.9.2008 by [S.I. 2008/2358](#), [art. 2\(1\)](#)

Status:

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Changes to legislation:

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