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SCHEDULES

SCHEDULE 4

QUALIFYING PERIOD FOR RIGHT TO BUY AND DISCOUNT

The landlord condition

- 7 (1) The landlord condition is, subject to ^{F1}paragraph 7A and to] any order under paragraph 8, that the interest of the landlord belonged to, or to a predecessor of—
- a local authority,
 - a new town corporation,
 - ^{F2}a housing action trust]
 - the Development Board for Rural Wales,
 - an urban development corporation,
 - the ^{F3}Housing Corporation or Housing for Wales],
 - a ^{F4}registered social landlord] which is not a co-operative housing association,
..... ^{F5},
- or to, or to a predecessor of, an authority or other body falling within subparagraph (2) or (3) (corresponding authorities and bodies in Scotland and Northern Ireland),
- (2) The corresponding authorities and bodies in Scotland are—
- a ^{F6}council constituted under section 2 of the Local Government etc. (Scotland) Act 1994],
 - a joint board or joint committee of such a council,
 - the common good of such a council or a trust under its control,
 - a development corporation established by an order made or having effect as if made under the ^{M1}New Towns (Scotland) Act 1968,
 - ^{F7}the Scottish Special Housing Association]
 - ^{F7}Scottish Homes],
 - a housing association which falls within ^{F8}section 61(2)(a)(vi) of the Housing (Scotland) Act 1987] but is not a registered society within the meaning of section ^{F8}45] of that Act, and
 - ^{F9} . . .
- (3) The corresponding authorities and bodies in Northern Ireland are—
- a district council within the meaning of the ^{M2}Local Government Act (Northern Ireland) 1972,
 - the Northern Ireland Housing Executive, and
 - a registered housing association within the meaning of Chapter II of Part II of the ^{M3}Housing (Northern Ireland) Order 1983.

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Textual Amendments

- F1** Words in [Sch. 4 para. 7\(1\)](#) inserted (17.8.1992) by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2), [Sch. 5 Pt. II para. 40\(3\)\(a\)](#); S.I. 1992/1753, art. 2(2) (subject to a restriction in [Sch. para. 5](#))
- F2** Entry inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#) s. 83(7)
- F3** Words in [Sch. 4 para. 7\(1\)](#) substituted (1.11.1998) by 1998 c. 38, s. 140, [Sch. 16 para. 22](#) (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, art. 5
- F4** Words in [Sch. 4 para. 7\(1\)](#) substituted (1.10.1996) by S.I. 1996/2325, art. 5(1), [Sch. 2 para. 14\(32\)](#)
- F5** Words repealed by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2)(3), [Sch. 5 Pt. II para. 40\(3\)\(a\)](#), Sch. 12 Pt. I
- F6** In [Sch. 4 para. 7\(2\)](#) for the reference to “regional, islands or district council” there is substituted a reference to “council constituted under section 2 of the Local Government etc. (Scotland) Act 1994” by 1994 c. 39, s. 180(1), [Sch. 13 para. 142\(3\)\(a\)](#) (which by s. 184(4) extends to Scotland only); S.I. 1996/323, art. 4(1)(c)
- F7** In [Sch. 4 para. 7\(2\)](#) for the reference to the Scottish Special Housing Association there is substituted a reference to Scottish Homes by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), ss. 1, 3(3), [Sch. 2 para. 1](#)
- F8** By [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(2), [Sch. 23 para. 30\(4\)\(a\)](#) (which by s. 340(3) is expressed to extend to Scotland only) it is provided that in [para. 7\(2\)](#) in the definition of “housing association”, for “paragraph (e) of section 10(2) of the Tenants' Rights, Etc. (Scotland) Act 1980” and “11” there are substituted (S.) “section 61(2)(a)(vi) of the Housing (Scotland) Act 1987” and “45” respectively
- F9** Words in [Sch. 4 para. 7\(2\)](#) repealed (17.8.1992) by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2), [Sch. 5 Pt. II para. 40\(3\)\(b\)](#); S.I. 1992/1753, art. 2(2) (with restriction in [Sch. para. 5](#))

Modifications etc. (not altering text)

- C1** [Sch. 4 para. 7\(1\)](#) explained by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 5(1), [Sch. 3 para. 5\(3\)](#)
[Sch. 4 para. 7\(1\)](#) modified (17.8.1992) by S.I. 1992/1709, reg. 2(b)
- C2** In [Sch. 4 para. 7\(2\)](#) for the reference to the Scottish Special Housing Association there is substituted a reference to Scottish Homes by [Housing \(Scotland\) Act 1988 \(c. 43, SIF 61\)](#), ss. 1, 3(3), [Sch. 2 para. 1](#)

Marginal Citations

- M1** 1968 c. 16.
M2 1972 c. 9 (N.I.).
M3 S.I. 1983/1118 (N.I. 15).

- [^{F10}7A(1) The landlord condition shall be treated as having been satisfied in the case of a dwelling-house comprised in a housing co-operative agreement made—
- (a) in England and Wales, by a local housing authority, new town corporation or the Development Board for Rural Wales, or
 - (b) in Scotland, by [^{F11}a local housing authority],
- if the interest of the landlord belonged to the housing co-operative.
- (2) In sub-paragraph (1) “housing co-operative agreement” and “housing co-operative”—
- (a) as regards England and Wales have the same meaning as in section 27B (agreements with housing co-operatives under superseded provisions), and
 - (b) as regards Scotland mean an agreement made under section 5 of the Housing Rents and Subsidies (Scotland) Act 1975 and a housing co-operative within the meaning of that section.]

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Textual Amendments

- F10** Sch. 4 para. 7A inserted (17.8.1992) by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 24(2), [Sch. 5 Pt. II para. 40\(4\)](#); [S.I. 1992/1753](#), [art. 2\(2\)](#) (subject to a restriction in [Sch. para. 5](#))
- F11** In Sch. 4 para. 7A(1)(b) for the reference to “an islands or district council” there is substituted a reference to “a local housing authority” by [1994 c. 39](#), s. 180(1), [Sch. 13 para. 142\(3\)\(b\)](#) (which by s. 184(4) extends to Scotland only); [S.I. 1996/323](#), [art. 4\(1\)\(c\)](#)

VALID FROM 01/12/2008

- [^{F12}7B The landlord condition shall be treated as having been satisfied in the case of a dwelling-house let under a tenancy falling within section 80(2A) to (2E) at any time if, at that time, the interest of the landlord belonged to—
- (a) the Homes and Communities Agency, or
 - (b) the Welsh Ministers.]

Textual Amendments

- F12** Sch. 4 para. 7B inserted (1.12.2008) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2008 \(S.I. 2008/3002\)](#), art. 4, [Sch. 1 para. 31\(3\)](#) (with [Sch. 2](#)); [S.I. 2008/3068](#), arts. 1(2), [2\(1\)\(b\)](#) (with arts. 6-13)

- 8 (1) The landlord condition shall also be treated as having been satisfied, in such circumstances as may be prescribed for the purposes of this paragraph by order of the Secretary of State, if the interest of the landlord belonged to a person who is so prescribed.
- (2) An order under this paragraph—
- (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
 - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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