



# Housing Associations Act 1985

## 1985 CHAPTER 69

### PART I

#### REGULATION OF HOUSING ASSOCIATIONS

##### *Supplementary*

#### **37 Definitions relating to the 1965 Act and societies registered under it.**

In this Part “the 1965 Act” means the <sup>M1</sup>Industrial and Provident Societies Act 1965, and in relation to a society registered under that Act—

“appropriate registrar” has the same meaning as in that Act (where it is defined in section 73(1)(c) by reference to the situation of the society’s registered office);

“committee” means the committee of management or other directing body of the society;

“co-opted member”, in relation to the committee, includes any person co-opted to serve on the committee, whether he is a member of the society or not;

“dissolved under the 1965 Act” means dissolved either as mentioned in section 55(a) of that Act (winding up under the Companies Act) or as mentioned in section 55(b) of that Act (instrument of dissolution).

#### **Marginal Citations**

M1 1965 c. 12.

#### **38 Definitions relating to charities.**

In this Part—

- (a) “charity” has the same meaning as in [<sup>F1</sup>the Charities Act 1993]; and

*Status: Point in time view as at 01/08/1993.*

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- (b) “registered charity” means a charity which is registered under [<sup>F1</sup>section 3 of that Act] and is not an exempt charity within the meaning of that Act.

#### Textual Amendments

**F1** Words in s. 38(a)(b) substituted (1.8.1993) by 1993 c. 10, ss. 98(1), 99(1), **Sch. 6 para. 21(5)(a)(b)**.

### 39 Minor definitions.

In this Part—

[<sup>F2</sup>“assured tenancy” has, in England and Wales, the same meaning as in Part I of the Housing Act 1988 and, in Scotland, the same meaning as in Part II of the Housing (Scotland) Act 1988;

“assured agricultural occupancy” has the same meaning as in Part I of the Housing Act 1988.]

“mental disorder” has the same meaning as in the <sup>M2</sup>Mental Health Act 1983 or the <sup>M3</sup>Mental Health (Scotland) Act 1984;

“secure tenancy” has the same meaning as in section 79 of the <sup>M4</sup>Housing Act 1985 or [<sup>F3</sup>44 of the Housing (Scotland) Act 1987];

“standard scale” has the meaning given by section 75 of the <sup>M5</sup>Criminal Justice Act 1982.

#### Textual Amendments

**F2** Definitions inserted by **Housing Act 1988 (c. 50, SIF 61), s. 59(2)(3)(4), Sch. 6 Pt. I para. 25**

**F3** S. 39: by **Housing (Scotland) Act 1987 (c. 26, SIF 61), ss. 335, 339(2), Sch. 23 para. 31(3)** it is provided that in the definition of “secure tenancy” for the words “10 of the Tenants’; Rights, Etc. (Scotland) Act 1980” there shall be substituted (S.) the words “44 of the Housing (Scotland) Act 1987” and by **Housing (Scotland) Act 1988 (c. 43, SIF 61), s. 72, Sch. 9 para. 8** it is provided that in s. 39, in the definition of “secure tenancy” for the words “section 10 of the Tenants’; Rights Etc. (Scotland) Act 1980” there shall be substituted the words “44 of the Housing (Scotland) Act 1987”

#### Marginal Citations

**M2** 1983 c. 20.

**M3** 1984 c. 36.

**M4** 1985 c. 68.

**M5** 1982 c. 48.

### 40 Index of defined expressions: Part I.

The following Table shows provisions defining or explaining expressions used in this Part (other than provisions defining or explaining an expression used only in the same section or paragraph):—

appropriate registrar (in relation to a society registered under the 1965 Act).	section 37
[ <sup>F4</sup> assured agricultural occupancy]	[ <sup>F4</sup> section 39]

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[ <sup>F4</sup> assured tenancy]	[ <sup>F4</sup> section 39]
bank	section 106
charge (in relation to Scotland)	section 106
charity	section 38(a)
committee (in relation to a society registered under the 1965 Act)	section 37
compulsory disposal (in Schedule 2)	paragraph 6 of that Schedule
co-operative housing association	section 1(2)
co-opted member (in relation to the committee of a society registered under the 1965 Act)	section 37
the Companies Act	section 106
[ <sup>F5</sup> the Corporation]	[ <sup>F5</sup> section 2A]
dissolved under the 1965 Act (in relation to a society registered under that Act)	section 37
district (of a local housing authority)	section 104(2)
dwelling	section 106
eligible for registration (in relation to a housing association)	section 4
exempted disposal (in Schedule 2)	paragraph 5 of that Schedule
friendly society	section 106
fully mutual (in relation to a housing association)	section 1(2)
hostel	section 106
house	section 106
housing activities	section 106
housing association	section 1(1)
[ <sup>F6</sup> . . . . .]	[ <sup>F6</sup> . . . . .]
housing trust	section 2
insurance company	section 106
local housing authority	section 104
member of family	section 105
mental disorder	section 39
mortgage (in relation to Scotland)	section 106
the 1965 Act	section 37

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register, registered, registration and unregistered (in relation to a housing association)	section [ <sup>F7</sup> 3]
registered charity	section 38(b)
relevant disposal (in Schedule 2)	paragraph 4 of that Schedule
<del>F6</del>	<del>F6</del>
secure tenancy	section 39
shared ownership lease	section 106
[ <sup>F8</sup> shared ownership agreement (in relation to Scotland)]	[ <sup>F8</sup> section 106]
standard scale	section 39
trustee savings bank	section 106

#### Textual Amendments

- F4** Entries inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), **Sch. 6 Pt. I para. 26(a)**
- F5** Entry inserted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), **Sch. 6 Pt. I para. 26(b)**
- F6** Entry repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140(2), **Sch. 18**
- F7** Figure substituted by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 59(2)(3)(4), **Sch. 6 Pt. I para. 26(c)**
- F8** Entry inserted (S.) by [Housing \(Scotland\) Act 1986 \(c. 65, SIF 61\)](#), s. 25(1), **Sch. 2 para. 4(4)**

**Status:**

Point in time view as at 01/08/1993.

**Changes to legislation:**

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