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*Changes to legislation:* There are currently no known outstanding effects for the  
Housing Associations Act 1985, Paragraph 5. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 7

#### POWERS EXERCISABLE WHERE LOAN OUTSTANDING UNDER SECTION 2 OF THE HOUSING ACT 1964

**Modifications etc. (not altering text)**

- C1** Sch. 7: transfer of functions (E.W.) (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 2 (see S.I. 2008/3068, art. 2(1)(b))
- C1** Sch. 7 modified (E.W.) (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 3, **Sch. para. 3** (with art. 6) (see S.I. 2008/3068, art. 2(1)(b))

*Schemes for Corporation to provide housing accommodation in place of association*

- 5 (1) If it appears to the [<sup>F1</sup>Regulator of Social Housing]—
- (a) that the association is experiencing difficulty in providing housing accommodation on any land which it has acquired or in managing housing accommodation provided by it on any land, or is in any way failing to perform its functions as a housing association in relation to any land, and that accordingly it is undesirable for the land in question to remain in the hands of the association,
  - (b) that there is no other housing association, whether in existence or about to be formed, to which the association's interest in the land in question can suitably be transferred, and
  - (c) that the land is capable of being, or continuing to be, used to provide housing accommodation for letting,

the [<sup>F1</sup>Regulator of Social Housing] may prepare and submit to the Secretary of State a scheme.

<sup>F2</sup>(1A) .....

- (2) The scheme shall be for the [<sup>F3</sup>Regulator of Social Housing]—
- (a) to acquire the association's interest in the land,
  - (b) to undertake all such operations as may be required for the provision or continued provision on the land of housing accommodation for letting (including any operation which might have been carried out by a housing association in connection with the provision of housing accommodation), and
  - (c) to retain the accommodation and keep it available for letting so long as the scheme has not been terminated in any manner provided for in the scheme.

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- (3) Where such a scheme is submitted to the Secretary of State by the [<sup>F4</sup>Regulator of Social Housing], the Secretary of State, on being satisfied of—
  - (a) the undesirability of the land remaining in the hands of the association, and
  - (b) the lack of any housing association to which it can suitably be transferred,
 may, if he thinks fit, approve the scheme.
- (4) If he does so the [<sup>F5</sup>Regulator of Social Housing] shall have power to acquire for the purposes of the scheme the association’s interest in the land and to carry through the provisions of the scheme.
- (5) A scheme approved by the Secretary of State under this paragraph may be varied from time to time in accordance with proposals in that behalf made by the [<sup>F6</sup>Regulator of Social Housing] and approved by the Secretary of State.

<sup>F7</sup>(6) .....

Textual Amendments	
<b>F1</b>	Words in Sch. 7 para. 5(1) substituted (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), <b>Sch. 2 para. 57(7)(a)</b> (with art. 6, Sch. 3)
<b>F2</b>	Sch. 7 para. 5(1A) repealed (E.W.) (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), Sch. 2 para. 57(7)(b), <b>Sch. 4</b> (with art. 6, Sch. 3)
<b>F3</b>	Words in Sch. 7 para. 5(2) substituted (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), <b>Sch. 2 para. 57(7)(c)</b> (with art. 6, Sch. 3)
<b>F4</b>	Words in Sch. 7 para. 5(3) substituted (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), <b>Sch. 2 para. 57(7)(d)</b> (with art. 6, Sch. 3)
<b>F5</b>	Words in Sch. 7 para. 5(4) substituted (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), <b>Sch. 2 para. 57(7)(d)</b> (with art. 6, Sch. 3)
<b>F6</b>	Words in Sch. 7 para. 5(5) substituted (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), <b>Sch. 2 para. 57(7)(d)</b> (with art. 6, Sch. 3)
<b>F7</b>	Sch. 7 para. 5(6) repealed (E.W.) (1.4.2010) by <a href="#">The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866)</a> , art. 1(2), Sch. 2 para. 57(7)(e), <b>Sch. 4</b> (with art. 6, Sch. 3)

**Changes to legislation:**

There are currently no known outstanding effects for the Housing Associations Act 1985, Paragraph 5.