



# Housing Act 1988

## 1988 CHAPTER 50

### PART III

#### HOUSING ACTION TRUST AREAS

##### *Miscellaneous and general*

#### **89 Supply of goods and services.**

- (1) A housing action trust and an urban development corporation established by an order under section 135 of the <sup>M1</sup> Local Government, Planning and Land Act 1980, may enter into any agreement with each other for all or any of the purposes set out in section 1(1) of the <sup>M2</sup> Local Authorities (Goods and Services) Act 1970, as if they were local authorities within the meaning of section I of that Act.
- (2) Without prejudice to subsection (1) above, in section 1(4) of the Local Authorities (Goods and Services) Act 1970 (supply of goods and services by local authorities to public bodies), after the words ““public body” means any local authority” there shall be inserted “housing action trust established under Part III of the Housing Act 1988”.

#### **Marginal Citations**

**M1** 1980 c. 65.

**M2** 1970 c. 39.

#### **90 Information**

- (1) If required to do so by notice in writing given by the Secretary of State for any of the purposes mentioned in subsection (3) below, a local authority,—
  - (a) at such time and place as may be specified in the notice, shall produce any document; or

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- (b) within such period as may be so specified, or such longer period as the Secretary of State may allow, shall furnish a copy of any document or supply any information;  
being a document, copy or information of a description specified in the notice.
- (2) Where notice is given to a local authority under subsection (1) above, any officer of the authority—
- (a) who has the custody or control of any document to which the notice relates, or  
(b) who is in a position to give information to which the notice relates,  
shall take all reasonable steps to ensure that the notice is complied with.
- (3) The purposes referred to in subsection (1) above are—
- (a) determining whether the Secretary of State should make a designation order in respect of any area;  
(b) where a designation order is to be or has been made, determining whether, and to what extent, he should exercise any of his other powers under this Part of this Act; and  
(c) enabling him to provide information to a housing action trust the better to enable it to carry out its functions.
- (4) Without prejudice to the generality of subsection (1) above, among the information which may be required by a notice under that subsection is information with respect to the interests in, and the occupation of, land held by a local authority and, in particular, information with respect to any matter entered in a register kept under the [<sup>F1</sup>Land Registration Act 2002] or the <sup>M3</sup> Land Charges Act 1972.
- (5) To any extent to which, apart from this subsection, he would not be able to do so, the Secretary of State may use, for any of the purposes mentioned in subsection (3) above, any information obtained by him under, or in connection with his functions under, the <sup>M4</sup>Housing Act 1985 or any other enactment.
- (6) If the Secretary of State considers it necessary or desirable to do so in order the better to enable a housing action trust to carry out its functions, he may disclose to the trust any information originally obtained by him for a purpose falling within paragraph (a) or paragraph (b) of subsection (3) above as well as information obtained for the purpose referred to in paragraph (c) of that subsection.
- (7) In this section “local authority” has the same meaning as in section 74 above.

#### Textual Amendments

**F1** Words in s. 90(4) substituted (13.10.2003) by [Land Registration Act 2002 \(c. 9\)](#), ss. 133, 136(2), [Sch. 11 para. 23\(4\)](#) (with s. 129); S.I. 2003/1725, [art. 2\(1\)](#)

#### Marginal Citations

**M3** 1972 c. 61.  
**M4** 1985 c. 68.

- (1) This section has effect in relation to any notice required or notices. authorised by this Part of this Act to be served on any person by a housing action trust.

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- (2) Any such notice may be served on the person in question either by delivering it to him, or by leaving it at his proper address, or by sending it by post to him at that address.
- (3) Any such notice may—
- (a) in the case of a body corporate, be given to or served on the secretary or clerk of that body; and
  - (b) in the case of a partnership, be given to or served on a partner or a person having the control or management of the partnership business.
- (4) For the purposes of this section and of section 7 of the <sup>M5</sup> Interpretation Act 1978 (service of documents by post) in its application to this section, the proper address of any person to or on whom a notice is to be given or served shall be his last known address, except that—
- (a) in the case of a body corporate or its secretary or clerk, it shall be the address of the registered or principal office of that body; and
  - (b) in the case of a partnership or a person having the control or management of the partnership business, it shall be that of the principal office of the partnership;
- and for the purposes of this subsection the principal office of a company registered outside the United Kingdom or of a partnership carrying on business outside the United Kingdom shall be its principal office within the United Kingdom.
- (5) If the person to be given or served with any notice mentioned in subsection (1) above has specified an address within the United Kingdom other than his proper address within the meaning of subsection (4) above as the one at which he or someone on his behalf will accept documents of the same description as that notice, that address shall also be treated for the purposes of this section and section 7 of the Interpretation Act 1978 as his proper address.
- (6) If the name or address of any owner, lessee or occupier of land to or PART III on whom any notice mentioned in subsection (1) above is to be served cannot after reasonable inquiry be ascertained, the document may be served either by leaving it in the hands of a person who is or appears to be resident or employed on the land or by leaving it conspicuously affixed to some building or object on the land.

#### Marginal Citations

M5 1978 c. 30.

## 92 Interpretation of Part III.

- (1) In this Part of this Act, except where the context otherwise requires,—
- (a) “designated area” and “designation order” have the meaning assigned by section 60(6) above;
  - (b) any reference to a “house” includes a reference to a flat and to any yard, garden, outhouses and appurtenances belonging to the house or flat or usually enjoyed with it;
  - (c) “housing accommodation” includes flats, lodging-houses and hostels;
  - [<sup>F2</sup>(ca) “introductory tenancy” has the same meaning as in Chapter I of Part V of the Housing Act 1996 and “introductory tenant” shall be construed accordingly;]

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- (d) “local housing authority” has the same meaning as in the <sup>M6</sup>Housing Act 1985 and section 2 of that Act (the district of a local housing authority) has effect in relation to this Part of this Act as it has effect in relation to that Act;
- (e) “local authority housing” means housing accommodation provided by a local housing authority (whether in its own district or not);
- (f) “secure tenancy” has the meaning assigned by section 79 of the <sup>M7</sup>Housing Act 1985 and “secure tenant” shall be construed accordingly; and
- [<sup>F3</sup>(g) “the 1990 Act” means the Town and Country Planning Act 1990]

<sup>F4</sup>(2) .....

#### Textual Amendments

- F2** S. 92(1)(ca) inserted (12.2.1997) by S.I 1997/74, art. 2, Sch. para. 6(k)
- F3** S. 92(1)(g) substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123: 1, 2), s. 4, **Sch. 2 para. 79(4)**
- F4** S. 92(2) repealed (1.11.1998) by 1998 c. 38, ss. 140, 152, Sch. 16 para. 70, **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 141(1), 143(2)); S.I. 1998/2244, **art. 5**

#### Marginal Citations

- M6** 1985 c. 68.
- M7** 1985 c. 68.

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