



Local Government and Housing Act 1989

1989 CHAPTER 42

PART VI

HOUSING FINANCE

Supplementary

88 Construction and application of Part VI.

(1) In this Part—

(a) expressions which are used in Part XIII of the ^{M1}Housing Act 1985 (general financial provisions) have the same meaning as in that Part;

[^{F1}(aa) “the appropriate person” means—

- (i) in relation to England, the Secretary of State, and
- (ii) in relation to Wales,][^{F2}Welsh Ministers];

(b) references to a local housing authority’s Housing Revenue Account or Housing Repairs Account include, where the context so admits, references to the corresponding account kept by them under that Part;

(c) references to a revenue account of a local housing authority other than their Housing Revenue Account do not include references to a Housing Repairs Account; [^{F3} and]

(d) references to proper practices shall be construed in accordance with [^{F4}section 21 of the Local Government Act 2003][^{F5}; and

^{F6}(e) “electronic communication” means a communication transmitted (whether from one person to another, from one device to another or from a person to a device or vice versa)—

- ^{F7}(i) by means of [^{F8}an electronic communications network]; or
- (ii) by other means but while in an electronic form;

^{F9}(f) “address”, in relation to electronic communications, includes any number or address used for the purposes of such communications.]

Status: Point in time view as at 16/01/2012. This version of this provision has been superseded.

Changes to legislation: Local Government and Housing Act 1989, Section 88 is up to date with all changes known to be in force on or before 05 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)

- (2) Sections 82 to 84 above and, so far as relating to those sections or residual debt subsidy, this section and sections 85 to 87 above, have effect for the year beginning on 1st April 1989.
- (3) Subject to subsection (2) above, this Part has effect for years beginning on or after 1st April 1990.
- (4) If, before the passing of this Act, any statement was made by or on behalf of the Secretary of State—
- (a) that, if this Part were then in force, he would make, under section 83 above, such a determination as is set out in the statement, and
 - (b) that, when this Act is passed, he is to be regarded as having made under that section the determination set out in the statement,
- the determination set out in the statement shall have effect as if it had been validly made under section 83 above at the time of the statement.
- (5) Any consultation undertaken—
- (a) before the passing of this Act, and
 - (b) before the making of such a statement as is referred to in subsection (4) above, and
 - (c) in connection with a determination proposed to be set out in the statement,
- shall be as effective, in relation to that determination, as if this Part had been in force at the time the consultation was undertaken.
- (6) Any consultation undertaken before the passing of this Act in connection with a determination proposed to be made under this Part shall be as effective, in relation to that determination, as if this Part had been in force at the time the consultation was undertaken.

Textual Amendments

- F1** S. 88(1)(aa) inserted (18.11.2003 for E. and 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004) by [Local Government Act 2003 \(c. 26\)](#), [ss. 89\(6\)](#), [128\(6\)](#); [S.I. 2003/2938](#), [art. 3\(a\)](#) (with [art. 8](#), [Sch.](#)); [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)
- F2** Words in s. 88(1)(aa)(ii) substituted (22.9.2008) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 313\(2\)](#), [325\(2\)\(a\)](#)
- F3** Word in s. 88(1)(c) deleted (E.) (10.12.2000) by virtue of [S.I. 2000/3056](#), [art. 4\(a\)](#)
- F4** Words in s. 88(1)(d) substituted (27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1.4.2004, and 1.4.2004 for E.) by [Local Government Act 2003 \(c. 26\)](#), [s. 128\(6\)](#), [Sch. 7 para. 32](#); [S.I. 2003/2938](#), [art. 7\(a\)](#) (with [art. 8](#), [Sch.](#)); [S.I. 2003/3034](#), [art. 2](#), [Sch. 1 Pt. I](#)
- F5** Word in s. 88(1)(c) deleted (E.) (10.12.2000) by virtue of [S.I. 2000/3056](#), [art. 4\(a\)](#)
- F6** S. 88(1)(e)(f) and the preceding "and" inserted (E.) (10.12.2000) by [S.I. 2000/3056](#), [art. 4\(b\)](#) and the said insertion extended to Wales (1.4.2001) by [S.I. 2001/605](#), [art. 2\(2\)](#)
- F7** [1984 c. 12](#).
- F8** Words in s. 88(1)(e)(i) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), [s. 411\(2\)](#), [Sch. 17 para. 100](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), [arts. 1\(2\)](#), [2\(1\)](#), [Sch. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), [art. 1\(3\)](#)); [S.I. 2003/3142](#), [art. 3\(2\)](#) (with [art. 11](#))
- F9** S. 88(1)(e)(f) and the preceding "and" inserted (E.) (10.12.2000) by [S.I. 2000/3056](#), [art. 4\(b\)](#) and the said insertion extended to Wales (1.4.2001) by [S.I. 2001/605](#), [art. 2\(2\)](#)

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Marginal Citations

M1 1985 c. 68.

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