



Housing Act 1996

1996 CHAPTER 52

PART I

[^{F1}SOCIAL RENTED SECTOR [^{F1}REGULATED BY THE WELSH MINISTERS]]

CHAPTER III

GRANTS AND OTHER FINANCIAL MATTERS

Modifications etc. (not altering text)

- C1** Pt. 1: The system of "registered social landlords" under this Part is replaced (8.9.2008 for specified purposes and 1.12.2008, 16.2.2009, 1.4.2009, 7.9.2009 and 1.4.2010 for further purposes) by [Housing and Regeneration Act 2008 \(c. 17\)](#), Pt. 2. This Part continues to apply in relation to Wales with certain provisions applied in relation to England and certain provisions preserved although they apply to England only, see s. 60 of the affecting Act; [S.I. 2008/2358](#), art. 3; [S.I. 2008/3068](#), art. 3 (with arts. 6-13); [S.I. 2009/363](#), art. 2; [S.I. 2009/803](#), art. 7; [S.I. 2009/2096](#), art. 2(1); [S.I. 2010/862](#), art. 2 (with Sch.)

Grants and other financial assistance

18 Social housing grants.

- (1) The [^{F1}Relevant Authority] may make grants to registered social landlords in respect of expenditure incurred or to be incurred by them in connection with their housing activities.
- (2) The [^{F1}Relevant Authority]^{F2}... shall specify in relation to grants under this section—
 - (a) the procedure to be followed in relation to applications for grant,
 - (b) the circumstances in which grant is or is not to be payable,
 - (c) the method for calculating, and any limitations on, the amount of grant, and

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- (d) the manner in which, and time or times at which, grant is to be paid.
- (3) In making a grant under this section, [^{F3}the Welsh Ministers] may provide that the grant is conditional on compliance by the landlord with such conditions as [^{F3}the Welsh Ministers] may specify.
- (4) The [^{F1}Relevant Authority] may, with the agreement of a local housing authority, appoint the authority to act as its agent in connection with the assessment and payment of grant under this section.
- [^{F4}(5) The appointment—
- (a) if made by the Housing Corporation, shall be on such terms as the Housing Corporation may, with the approval of the Secretary of State given with the consent of the Treasury, specify, and
- (b) [^{F5}An appointment made by] the [^{F6}Welsh Ministers][^{F7}under this section] , shall be on such terms as the [^{F6}Welsh Ministers] may [^{F8}specify; and the authority shall act in accordance with those terms.]]
- (6) Where—
- (a) a grant under this section is payable to a registered social landlord, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, another registered social landlord, or trustees for another such landlord,
- this section (including this subsection) shall have effect after that time as if the grant, or such proportion of it as is specified or determined under subsection (7), were payable to the other landlord.
- (7) The proportion mentioned in subsection (6) is that which, in the circumstances of the particular case—
- (a) [^{F3}the Welsh Ministers], acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) [^{F3}the Welsh Ministers] may determine to be appropriate.
- [^{F9}(8)

Textual Amendments

- F1** Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.
- F2** Words in s. 18(2) repealed (18.1.2005) by Housing Act 2004 (c. 34), s. 270(3)(c), Sch. 11 para. 8, **Sch. 16**.
- F3** Words in Pt. I substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), **ss. 61(7)**, 325(1); S.I. 2010/862, **art. 2** (with Sch.)
- F4** S. 18(5) substituted (1.11.1998) by 1998 c. 38, s. 140, **Sch. 16 para. 85(2)** (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, **art.5**.
- F5** Words in s. 18(5)(b) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), **art. 1(2)**, **Sch. 2 para. 85(2)(a)** (with art. 6, Sch. 3)
- F6** Words in s. 18(5)(b) substituted (1.4.2010) by Housing and Regeneration Act 2008 (c. 17), **ss. 62(a)**, 325(1); S.I. 2010/862, **art. 2** (with Sch.)
- F7** Words in s. 18(5)(b) inserted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), **art. 1(2)**, **Sch. 2 para. 85(2)(b)** (with art. 6, Sch. 3)
- F8** Words in s. 18(5)(b) substituted (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), **art. 1(2)**, **Sch. 2 para. 85(2)(c)** (with art. 6, Sch. 3)

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- F9** S. 18(8) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), Sch. 2 para. 85(3), **Sch. 4** (with art. 6, Sch. 3)

Modifications etc. (not altering text)

- C2** S. 18: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), **2**
- C3** S. 18 modified (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. 5** (with art. 6)
- C4** S. 18(2)(7) extended (16.9.1996) by [S.I. 1996/2402](#), art. 3, **Sch. para. 1**

Commencement Information

- I1** S. 18 wholly in force 1.4.1997: s. 18 not in force at Royal Assent, see s. 232(1)-(3); s. 18(2)(7) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), **art. 4** and s. 18 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

19 Land subject to housing management agreement.

A registered social landlord is not entitled to a grant under section 18 (social housing grant) in respect of land comprised in a management agreement within the meaning of the ^{M1}Housing Act 1985 (see sections 27(2) and 27B(4) of that Act: delegation of housing management functions by certain authorities).

Marginal Citations

- M1** 1985 c. 68.

20 Purchase grant where right to acquire exercised.

- (1) The [^{F10}Relevant Authority] shall make grants to registered social landlords [^{F11}and [^{F12}private registered providers] of social housing] in respect of discounts given by them to persons exercising the right to acquire conferred by section 16.
- (2) The amount of the grant for any year shall be the aggregate value of the discounts given in that year.
- (3) The [^{F10}Relevant Authority]^{F13} ... shall specify in relation to grants under this section—
 - (a) the procedure to be followed in relation to applications for grant,
 - (b) the manner in which, and time or times at which, grant is to be paid.
- (4) In making a grant [^{F3}the Welsh Ministers] may provide that the grant is conditional on compliance by the registered social landlord [^{F14}or [^{F15}private registered provider] of social housing] with such conditions as [^{F3}the Welsh Ministers] may specify.

Textual Amendments

- F3** Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 61(7)**, 325(1); [S.I. 2010/862](#), art. 2 (with Sch.)
- F10** Words in Pt. I substituted (1.11.1998) by [1998 c. 38](#), s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); [S.I. 1998/2244](#), **art.5**.
- F11** Words in s. 20(1) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(3)(a)**, 325(1) (with s. 189); [S.I. 2010/862](#), art. 2 (with Sch.)

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- F12** Words in s. 20(1) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 23(3)(a)**
- F13** Words in s. 20(3) repealed (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), s. 270(3)(c), Sch. 11 para. 9, **Sch. 16**
- F14** Words in s. 20(4) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 23(3)(b)**
- F15** Words in s. 20(4) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(3)(b), 325(1)** (with s. 189); [S.I. 2010/862](#), art. 2 (with Sch.)

Modifications etc. (not altering text)

- C5** S. 20 modified (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. 5** (with art. 6)
- C6** S. 20: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), 2
- C7** S. 20(3) extended (16.9.1996) by [S.I. 1996/2402](#), art. 3, **Sch. para. 1**

Commencement Information

- I2** S. 20 wholly in force 1.4.1997: s. 20 not in force at Royal Assent, see s. 232(1)-(3); s. 20(3) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), **art. 4** and s. 20 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

21 Purchase grant in respect of other disposals.

- (1) The [^{F16}Relevant Authority] may make grants to registered social landlords [^{F17}and [^{F18}private registered providers] of social housing] in respect of discounts on disposals by them of dwellings [^{F19}in Wales] to tenants otherwise than in pursuance of the right conferred by section 16.
- (2) The [^{F16}Relevant Authority] shall make such a grant if the tenant was entitled to exercise the right conferred by section 16 [^{F20}or by section 180 of the Housing and Regeneration Act 2008] in relation to another dwelling of the [^{F21}landlord or provider (as the case may be)] .

The amount of the grant in such a case shall not exceed the amount of the discount to which the tenant would have been entitled in respect of the other dwelling.

- [^{F22}(2A) But subsection (2) does not apply in respect of a discount on a disposal of a dwelling unless—
- (a) the dwelling is from previously let social housing stock, or
 - (b) section 16C applies, or has applied, in respect of the dwelling.]
- (3) The [^{F16}Relevant Authority]^{F23} ... shall specify in relation to grants under this section—
- (a) the procedure to be followed in relation to applications for grant;
 - (b) the circumstances in which grant is or is not to be payable;
 - (c) the method for calculating, and any limitations on, the amount of grant; and
 - (d) the manner in which, and time or times at which, grant is to be paid.
- (4) In making a grant under this section, [^{F3}the Welsh Ministers] may provide that the grant is conditional on compliance by the registered social landlord [^{F24}or [^{F25}private registered provider] of social housing] with such conditions as [^{F3}the Welsh Ministers] may specify.

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Textual Amendments

- F3** Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 61(7)**, 325(1); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F16** Words in Pt. I substituted (1.11.1998) by [1998 c. 38](#), s. 140, **Sch. 16 para. 82(1)(2)** (with ss. 139(2), 141(1), 143(2)); [S.I. 1998/2244](#), **art.5**.
- F17** Words in s. 21(1) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(4)(a)(i)**, 325(1) (with s. 189); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F18** Words in s. 21(1) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 23(4)(a)**
- F19** Words in s. 21(1) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(4)(a)(ii)**, 325(1) (with s. 189); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F20** Words in s. 21(2) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(4)(b)(i)**, 325(1) (with s. 189); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F21** Words in s. 21(2) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(4)(b)(ii)**, 325(1) (with s. 189); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F22** S. 21(2A) inserted (24.3.2018) by [Abolition of the Right to Buy and Associated Rights \(Wales\) Act 2018 \(anaw 1\)](#), **ss. 4(4)**, 11(2)
- F23** Words in s. 21(3) repealed (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), s. 270(3)(c), [Sch. 11 para. 10](#), **Sch. 16**
- F24** Words in s. 21(4) inserted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 185(4)(c)**, 325(1) (with s. 189); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F25** Words in s. 21(4) substituted (1.4.2010) by [The Housing and Regeneration Act 2008 \(Registration of Local Authorities\) Order 2010 \(S.I. 2010/844\)](#), art. 1(2), **Sch. 2 para. 23(4)(b)**

Modifications etc. (not altering text)

- C8** S. 21: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), arts. 1(1), **2**
- C9** S. 21 modified (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. 5** (with art. 6)
- C10** S. 21(3) extended (16.9.1996) by [S.I. 1996/2402](#), **art. 3**, **Sch. para. 1**

Commencement Information

- I3** S. 21 wholly in force 1.4.1997: s. 21 not in force at Royal Assent, see s. 232(1)-(3); s. 21(3) in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), **art. 4** and s. 21 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

22 Assistance from local authorities.

- (1) A local authority may promote—
 - (a) the formation of bodies to act as registered social landlords, and
 - (b) the extension of the objects or activities of registered social landlords.
- (2) A local authority may for the assistance of any registered social landlord subscribe for share or loan capital of the landlord.
- (3) A local authority may for the assistance of a registered social landlord—
 - (a) make grants or loans to the landlord, or
 - (b) guarantee or join in guaranteeing the payment of the principal of, and interest on, money borrowed by the landlord (including money borrowed by the issue of loan capital) or of interest on share capital issued by the landlord.

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- (4) A local housing authority may sell or supply under a hire-purchase agreement furniture to the occupants of houses provided by a registered social landlord, and may buy furniture for that purpose.

In this subsection “hire-purchase agreement” means a hire-purchase agreement or conditional sale agreement within the meaning of the ^{M2}Consumer Credit Act 1974.

Modifications etc. (not altering text)

C11 S. 22 extended (16.9.1996) by S.I. 1996/2402, art. 3, Sch. para. 1

Marginal Citations

M2 1974 c. 39.

23 Loans by Public Works Loans Commissioners.

- (1) The Public Works Loans Commissioners may lend money to a registered social landlord—
- (a) for the purpose of constructing or improving, or facilitating or encouraging the construction or improvement, of dwellings,
 - (b) for the purchase of dwellings which the landlord desires to purchase with a view to their improvement, and
 - (c) for the purchase and development of land.
- (2) A loan for any of those purposes, and interest on the loan, shall be secured by a mortgage of—
- (a) the land in respect of which that purpose is to be carried out, and
 - (b) such other lands (if any) as may be offered as security for the loan;
- and the money lent shall not exceed three-quarters (or, if the payment of the principal of, and interest on, the loan is guaranteed by a local authority, nine-tenths) of the value, to be ascertained to the satisfaction of the Public Works Commissioners, of the estate or interest in the land proposed to be so mortgaged.
- (3) Loans may be made by instalments as the building of dwellings or other work on the land mortgaged under subsection (2) progresses (so, however, that the total amount lent does not at any time exceed the amount specified in that subsection); and a mortgage may accordingly be made to secure such loans to be so made.
- (4) If the loan exceeds two-thirds of the value referred to in subsection (2), and is not guaranteed as to principal and interest by a local authority, the Public Works Loans Commissioners shall require, in addition to such a mortgage as is mentioned in that subsection, such further security as they think fit.
- (5) Subject to subsection (6), the period for repayment of a loan under this section shall not exceed 40 years, and no money shall be lent on mortgage of any land unless the estate proposed to be mortgaged is either an estate in fee simple absolute in possession or an estate for a term of years absolute of which not less than 50 years are unexpired at the date of the loan.
- (6) Where a loan under this section is made for the purpose of carrying out a scheme for the provision of houses approved by the [^{F26}Welsh Ministers], the maximum period for the repayment of the loan is 50 instead of 40 years, and money may be lent on

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the mortgage of an estate for a term of years absolute of which a period of not less than ten years in excess of the period fixed for the repayment of the sums advanced remains unexpired at the date of the loan.

Textual Amendments

F26 Words in s. 23(6) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 62\(a\), 325\(1\); S.I. 2010/862, art. 2](#) (with Sch.)

Modifications etc. (not altering text)

C12 S. 23 extended (16.9.1996) by [S.I. 1996/2402, art. 3](#), Sch. para. 1

Treatment of disposal proceeds

F27 **24 The disposal proceeds fund.**

Textual Amendments

F27 S. 24 omitted (15.8.2018) by virtue of [Regulation of Registered Social Landlords \(Wales\) Act 2018 \(anaw 4\), ss. 15\(a\), 19\(2\); S.I. 2018/777, art. 3\(e\)](#) (with art. 4)

Commencement Information

I4 S. 24 wholly in force 1.4.1997; s. 24 not in force at Royal Assent see s. 232(3); s.24 in force for certain purposes at 1.8.1996 by [S.I. 1996/2048, art. 3](#) and s. 24 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618, art. 2](#)

F28 **25 Application or appropriation of disposal proceeds.**

Textual Amendments

F28 S. 25 omitted (15.8.2018) by virtue of [Regulation of Registered Social Landlords \(Wales\) Act 2018 \(anaw 4\), ss. 15\(b\), 19\(2\); S.I. 2018/777, art. 3\(e\)](#) (with art. 4)

Modifications etc. (not altering text)

C13 S. 25 extended (16.9.1996) by [S.I. 1996/2402, art. 3, Sch. para. 1](#)

Commencement Information

I5 S. 25 wholly in force 1.4.1997; s. 25 not in force at Royal Assent, see s. 232(1)-(3); s. 25 in force for certain purposes at 1.10.1996 by [S.I. 1996/2402, art. 4](#) and s. 25 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618, art. 2](#)

F29 **26 Disposal proceeds: power to require information.**

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Textual Amendments

F29 S. 26 omitted (15.8.2018) by virtue of [Regulation of Registered Social Landlords \(Wales\) Act 2018](#) (anaw 4), [ss. 15\(c\)](#), 19(2); S.I. 2018/777, [art. 3\(e\)](#) (with [art. 4](#))

Recovery, &c. of social housing grants

27 **Recovery, &c. of social housing grants.**

- (1) Where a registered social landlord has received a grant under section 18 (social housing grant), the following powers are exercisable in such events as [^{F3}the Welsh Ministers] may from time to time determine.
- (2) The [^{F30}Relevant Authority] may, acting in accordance with such principles as it has determined—
 - (a) reduce any grant payable by it, or suspend or cancel any instalment of any such grant, or
 - (b) direct the registered social landlord to apply or appropriate for such purposes as [^{F3}the Welsh Ministers] may specify, or to pay to [^{F3}the Welsh Ministers], such amount as [^{F3}the Welsh Ministers] may specify.
- (3) A direction by [^{F3}the Welsh Ministers] under subsection (2)(b) may require the application, appropriation or payment of an amount with interest.
- (4) Any such direction shall specify—
 - (a) the rate or rates of interest (whether fixed or variable) which is or are applicable,
 - (b) the date from which interest is payable, and
 - (c) any provision for suspended or reduced interest which is applicable.

The date from which interest is payable must not be earlier than the date of the event giving rise to the exercise of [^{F3}the Welsh Ministers] powers under this section.

- (5) In subsection (4)(c)—
 - (a) provision for suspended interest means provision to the effect that if the principal amount is applied, appropriated or paid before a date specified in the direction, no interest will be payable for any period after the date of the direction; and
 - (b) provision for reduced interest means provision to the effect that if the principal amount is so applied, appropriated or paid, any interest payable will be payable at a rate or rates lower than the rate or rates which would otherwise be applicable.
- (6) Where—
 - (a) a registered social landlord has received a payment in respect of a grant under section 18, and
 - (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, some other registered social landlord,
 this section (including this subsection) shall have effect in relation to periods after that time as if the grant, or such proportion of it as may be determined by [^{F3}the Welsh Ministers] to be appropriate, had been made to that other registered social landlord.

Status: Point in time view as at 15/08/2018.

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- (7) The matters specified in a direction under subsection (4)(a) to (c), and the proportion mentioned in subsection (6), shall be—
- (a) such as [^{F3}the Welsh Ministers], acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
 - (b) such as [^{F3}the Welsh Ministers] may determine to be appropriate in the particular case.

Textual Amendments

- F3** Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 61(7)**, 325(1); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F30** Words in Pt. I substituted (1.11.1998) by [1998 c. 38](#), s. 140, **Sch. 16 para. 82(1)(2)** (with [ss. 139\(2\)](#), [141\(1\)](#), [143\(2\)](#)); [S.I. 1998/2244](#), **art.5**.

Modifications etc. (not altering text)

- C14** S. 27 extended (16.9.1996) by [S.I. 1996/2402](#), **art. 3**, **Sch. para. 1**
- C15** S. 27: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\)](#), **arts. 1(1), 2**
- C16** S. 27 modified (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. 5** (with [art. 6](#))
- C17** S. 27 excluded (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 177(8)**, 325(1) (with [s. 189](#)); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))

Commencement Information

- I6** S. 27 wholly in force 1.4.1997: s. 27 not in force at Royal Assent, see [s. 232\(1\)-\(3\)](#); s. 27 in force for certain purposes at 1.10.1996 by [S.I. 1996/2402](#), **art. 4** and s. 27 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

[^{F31}Grants to bodies other than registered social landlords

Textual Amendments

- F31** [Ss. 27A, 27B](#) and cross-heading inserted (18.11.2004 for specified purposes, 17.2.2005 for E. in so far as not already in force) by [Housing Act 2004 \(c. 34\)](#), **ss. 220, 270(2)(b)**; [S.I. 2005/326](#), **art. 2(a)**

27A Grants to bodies other than registered social landlords

- (1) [^{F3}The Welsh Ministers] may make grants under this section to persons other than registered social landlords.
- (2) Grants under this section are grants for any of the following purposes—
 - (a) acquiring, or repairing and improving, or creating by the conversion of houses or other property, houses to be disposed of—
 - (i) under equity percentage arrangements, or
 - (ii) on shared ownership terms;
 - (b) constructing houses to be disposed of—
 - (i) under equity percentage arrangements, or
 - (ii) on shared ownership terms;

Status: Point in time view as at 15/08/2018.

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- (c) providing loans to be secured by mortgages to assist persons to acquire houses for their own occupation;
 - (d) providing, constructing or improving houses to be kept available for letting;
 - (e) providing, constructing or improving houses for letting that are to be managed by such registered social landlords, and under arrangements containing such terms, as are approved by [^{F3}the Welsh Ministers];
 - (f) such other purposes as may be specified in an order under subsection (3).
- (3) The [^{F32}Welsh Ministers] may by order make such provision in connection with the making of grants under this section as [^{F33}they][^{F34}consider] appropriate.
- (4) An order under subsection (3) may, in particular, make provision—
- (a) defining “equity percentage arrangements” for the purposes of this section;
 - (b) specifying or describing the bodies from whom loans may be obtained by persons wishing to acquire houses for their own occupation;
 - (c) dealing with the priority of mortgages entered into by such persons;
 - (d) specifying purposes additional to those mentioned in subsection (2)(a) to (e).
- ^{F35}(5)
- (6) [^{F3}The Welsh Ministers] shall specify in relation to grants under this section—
- (a) the procedure to be followed in relation to applications for grant,
 - (b) the circumstances in which grant is or is not to be payable,
 - (c) the method for calculating, and any limitations on, the amount of grant, and
 - (d) the manner in which, and the time or times at which, grant is to be paid.
- ^{F36}(7)
- (8) In making a grant to a person under this section [^{F3}the Welsh Ministers] may provide that the grant is conditional on compliance by the person with such conditions as [^{F3}the Welsh Ministers] may specify.
- (9) The conditions that may be so specified include conditions requiring the payment to [^{F3}the Welsh Ministers] in specified circumstances of a sum determined by [^{F3}the Welsh Ministers] (with or without interest).
- (10) An order under subsection (3) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of [^{F37}the National Assembly for Wales] .
- (11) In this section—
- “disposed of on shared ownership terms” has the meaning given by section 2(6);
 - “letting” includes the grant of a licence to occupy.

Textual Amendments

- F3** Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 61(7)**, 325(1); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F32** Words in s. 27A(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 62(a)**, 325(1); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))
- F33** Word in s. 27A(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), **ss. 62(c)**, 325(1); [S.I. 2010/862](#), **art. 2** (with [Sch.](#))

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- F34** Word in s. 27A(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 62\(e\), 325\(1\); S.I. 2010/862, art. 2 \(with Sch.\)](#)
- F35** S. 27A(5) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\), art. 1\(2\), Sch. 2 para. 87, Sch. 4 \(with art. 6, Sch. 3\)](#)
- F36** S. 27A(7) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\), art. 1\(2\), Sch. 2 para. 87, Sch. 4 \(with art. 6, Sch. 3\)](#)
- F37** Words in s. 27A(10) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 63, 325\(1\); S.I. 2010/862, art. 2 \(with Sch.\)](#)

Modifications etc. (not altering text)

- C18** S. 27A modified (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. 5 \(with art. 6\)](#)
- C19** S. 27A: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\), arts. 1\(1\), 2](#)

27B Transfer of property funded by grants under section 27A

(1) Where—

- (a) any grant is paid or payable to any person under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, another person who is not a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 27A.

(2) Where—

- (a) any amount is paid or payable to any person by way of grant under section 27A, and
- (b) at any time property to which the grant relates becomes vested in, or is leased for a term of years to, or reverts to, a registered social landlord,

this Part shall have effect, in relation to times falling after that time, as if the grant, or such proportion of it as is determined or specified under subsection (4), had been paid or (as the case may be) were payable to that other person under section 18.

(3) In such a case, the relevant section 18 conditions accordingly apply to that grant or proportion of it, in relation to times falling after that time, in place of those specified under section 27A(8).

“The relevant section 18 conditions” means such conditions specified under section 18(3) as would have applied at the time of the making of the grant if it had been made under section 18 to a registered social landlord.

(4) The proportion mentioned in subsection (1) or (2) is that which, in the circumstances of the particular case—

- (a) ^[F3]the Welsh Ministers], acting in accordance with such principles as it may from time to time determine, may specify as being appropriate, or
- (b) ^[F3]the Welsh Ministers] may determine to be appropriate.]

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Textual Amendments

F3 Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 61\(7\), 325\(1\); S.I. 2010/862, art. 2 \(with Sch.\)](#)

Modifications etc. (not altering text)

C20 S. 27B modified (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. 5 \(with art. 6\)](#)

C21 S. 27B: transfer of functions (1.12.2008) by [The Transfer of Housing Corporation Functions \(Modifications and Transitional Provisions\) Order 2008 \(S.I. 2008/2839\), arts. 1\(1\), 2](#)

Grants, &c. under earlier enactments

28 Grants under ^{F38}Part 2] of the Housing Act 1988.

^{F39}(1)

^{F40}(2)

(3) Section 52 of that Act (recovery, &c. of grants) is amended as follows—

- (a) in subsection (2)(c), for “to pay to it” substitute “ to apply or appropriate for such purposes as [^{F3}the Welsh Ministers] may specify, or to pay to the [^{F41}Relevant Authority], ”;
- (b) in the closing words of subsection (2), for the words from “requiring” to “interest on that amount” substitute “ may require the application, appropriation or payment of an amount with interest ”;
- (c) in subsection (7), for the words from “requiring” to “to [^{F3}the Welsh Ministers]” substitute “ requiring the application, appropriation or payment of an amount with interest ”;
- (d) in subsection (8)(a), for the words from “the amount” to “is paid” substitute “ the principal amount is applied, appropriated or paid ”;
- (e) in subsection (8)(b), for “that amount is so paid” substitute “ the principal amount is so applied, appropriated or paid ”.

(4) In section 53 of that Act (determinations by [^{F41}Relevant Authority]), for subsection (2) (requirement of approval of Secretary of State and, in the case of a general determination, consent of the Treasury) substitute—

“(2) The [^{F41}Relevant Authority] shall not make a general determination under the foregoing provisions of this Part except with the approval of the Secretary of State.”.

(5) In section 55(1) of that Act (surplus rental income: cases in which section applies), omit paragraph (a).

^{F42}(6)

Textual Amendments

F3 Words in Pt. I substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\), ss. 61\(7\), 325\(1\); S.I. 2010/862, art. 2 \(with Sch.\)](#)

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- F38** Words in s. 28 heading substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), [Sch. 8 para. 65\(3\)](#); S.I. 2010/862, art. 2 (with Sch.)
- F39** S. 28(1) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), Sch. 8 para. 65(2), [Sch. 16](#); S.I. 2010/862, arts. 2, 3 (with Sch.)
- F40** S. 28(2) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), Sch. 8 para. 65(2), [Sch. 16](#); S.I. 2010/862, arts. 2, 3 (with Sch.)
- F41** Words in Pt. I substituted (1.11.1998) by 1998 c. 38, s. 140, [Sch. 16 para. 82\(1\)\(2\)](#) (with ss. 139(2), 141(1), 143(2)); S.I. 1998/2244, [art.5](#).
- F42** S. 28(6) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), s. 325(1), Sch. 8 para. 65(2), [Sch. 16](#); S.I. 2010/862, arts. 2, 3 (with Sch.)

Modifications etc. (not altering text)

- C22** S. 28(3) extended (16.9.1996) by S.I. 1996/2402, art. 3, [Sch. para. 1](#)

Commencement Information

- I7** S. 28 wholly in force 1.4.1997; s. 28 not in force at Royal Assent see s. 232(1)-(3); s.28(4) in force at 1.8.1996 by S.I. 1996/2048, [art. 2](#); s. 28(3) in force for certain purposes at 1.10.1996 by S.I. 1996/2402, [art. 5](#) and s. 28 in force at 1.4.1997 to the extent it is not already in force by S.I. 1997/618, [art. 2](#)

29 Commutation of payments of special residual subsidy.

- (1) The [^{F43}Welsh Ministers] may, after consultation with a housing association, determine to commute any payments of special residual subsidy payable to the association under paragraph 2 of Part I of Schedule 5 to the ^{M3}Housing Associations Act 1985 for the financial year 1998-99 and subsequent years.
- (2) Where the [^{F44}Welsh Ministers make] such a determination the payments of special residual subsidy payable to a housing association shall be commuted into a single sum calculated in such manner, and payable on such date, as the [^{F45}Welsh Ministers] may consider appropriate.
- (3) If after a commuted payment has been made to a housing association it appears to the [^{F46}Welsh Ministers] that the payment was smaller or greater than it should have been, the [^{F46}Welsh Ministers] may make a further payment to the association or require the association to repay to [^{F47}them] such sum as [^{F48}they] may direct.

^{F49}(4)

Textual Amendments

- F43** Words in s. 29(1) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(a\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)
- F44** Words in s. 29(2) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(b\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)
- F45** Words in s. 29(2) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(a\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)
- F46** Words in s. 29(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(a\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)
- F47** Word in s. 29(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(d\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)
- F48** Word in s. 29(3) substituted (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), [ss. 62\(c\)](#), 325(1); S.I. 2010/862, art. 2 (with Sch.)

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F49 S. 29(4) repealed (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), art. 1(2), Sch. 2 para. 88, **Sch. 4** (with art. 6, Sch. 3)

Modifications etc. (not altering text)

C23 S. 29 modified (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. 5** (with art. 6)

Commencement Information

I8 S. 29 wholly in force 1.4.1997; s. 29 not in force at Royal Assent see s. 232(3); s. 29 in force for certain purposes at 1.8.1996 by [S.I. 1996/2048](#), **art. 3** and s. 29 in force at 1.4.1997 to the extent it is not already in force by [S.I. 1997/618](#), **art. 2**

Marginal Citations

M3 [1985 c. 69](#).

Status:

Point in time view as at 15/08/2018.

Changes to legislation:

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