



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

Grants, &c. under earlier enactments

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.)

28 Grants under [^{F1}Part 2] of the Housing Act 1988.

^{F2}(1)

^{F3}(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 [^{F4}the Welsh Ministers] may specify, or to pay to the [^{F5}Relevant Authority], ”;

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- (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 [^{F4}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 [^{F5}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 [^{F5}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).

^{F6}(6)

Textual Amendments

- F1** 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.)
- F2** 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.)
- F3** 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.)
- F4** 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.)
- F5** 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](#).
- F6** 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)

- C2** S. 28(3) extended (16.9.1996) by [S.I. 1996/2402](#), art. 3, [Sch. para. 1](#)

Commencement Information

- I1** 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 [^{F7}Welsh Ministers] may, after consultation with a housing association, determine to commute any payments of special residual subsidy payable to the association under

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paragraph 2 of Part I of Schedule 5 to the ^{M1}Housing Associations Act 1985 for the financial year 1998-99 and subsequent years.

(2) Where the [^{F8}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 [^{F9}Welsh Ministers] may consider appropriate.

(3) If after a commuted payment has been made to a housing association it appears to the [^{F10}Welsh Ministers] that the payment was smaller or greater than it should have been, the [^{F10}Welsh Ministers] may make a further payment to the association or require the association to repay to [^{F11}them] such sum as [^{F12}they] may direct.

^{F13}(4)

Textual Amendments

- F7** 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 \(with Sch.\)](#)
- F8** 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 \(with Sch.\)](#)
- F9** 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 \(with Sch.\)](#)
- F10** 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 \(with Sch.\)](#)
- F11** 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 \(with Sch.\)](#)
- F12** 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 \(with Sch.\)](#)
- F13** 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)

- C3** 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

- I2** 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

- M1** 1985 c. 69.

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