



Housing Act 1996

1996 CHAPTER 52

PART VII

HOMELESSNESS

General provisions

214 False statements, withholding information and failure to disclose change of circumstances.

- (1) It is an offence for a person, with intent to induce a local housing authority to believe in connection with the exercise of their functions under this Part that he or another person is entitled to accommodation or assistance in accordance with the provisions of this Part, or is entitled to accommodation or assistance of a particular description—
 - (a) knowingly or recklessly to make a statement which is false in a material particular, or
 - (b) knowingly to withhold information which the authority have reasonably required him to give in connection with the exercise of those functions.

- (2) If before an applicant receives notification of the local housing authority's decision on his application there is any change of facts material to his case, he shall notify the authority as soon as possible.

The authority shall explain to every applicant, in ordinary language, the duty imposed on him by this subsection and the effect of subsection (3).

- (3) A person who fails to comply with subsection (2) commits an offence unless he shows that he was not given the explanation required by that subsection or that he had some other reasonable excuse for non-compliance.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Status: Point in time view as at 30/03/2004.

Changes to legislation: Housing Act 1996, Cross Heading: General provisions is up to date with all changes known to be in force on or before 18 June 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)

Modifications etc. (not altering text)

C1 Ss. 183-218 modified (3.4.1997) by [S.I. 1997/797](#), [art. 2\(1\)](#)

215 Regulations and orders.

- (1) In this Part “prescribed” means prescribed by regulations of the Secretary of State.
- (2) Regulations or an order under this Part may make different provision for different purposes, including different provision for different areas.
- (3) Regulations or an order under this Part shall be made by statutory instrument.
- (4) Unless required to be approved in draft, regulations or an order under this Part shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Modifications etc. (not altering text)

C2 Ss. 183-218 modified (3.4.1997) by [S.I. 1997/797](#), [art.2\(1\)](#)

216 Transitional and consequential matters.

- (1) The provisions of this Part have effect in place of the provisions of Part III of the ^{M1}Housing Act 1985 (housing the homeless) and shall be construed as one with that Act.
- (2) Subject to any transitional provision contained in an order under section 232(4) (power to include transitional provision in commencement order), the provisions of this Part do not apply in relation to an applicant whose application for accommodation or assistance in obtaining accommodation was made before the commencement of this Part.
- (3) The enactments mentioned in Schedule 17 have effect with the amendments specified there which are consequential on the provisions of this Part.

Modifications etc. (not altering text)

C3 Ss. 183-218 modified (3.4.1997) by [S.I. 1997/797](#), [art.2](#)

Marginal Citations

M1 1985 c. 68.

217 Minor definitions: Part VII.

- (1) In this Part, subject to subsection (2)—
 - [^{F1}“private landlord” means a landlord who is not within section 80(1) of the Housing Act 1985 (c. 68) (the landlord condition for secure tenancies);]
 - “relevant authority” means a local housing authority or a social services authority; and

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“social services authority” means a local authority for the purposes of the ^{M2}Local Authority Social Services Act 1970, as defined in section 1 of that Act.

(2) In this Part, in relation to Scotland—

- (a) “local housing authority” means a local authority within the meaning of the ^{M3}Housing (Scotland) Act 1988, and
- (b) “social services authority” means a local authority for the purposes of the ^{M4}Social Work (Scotland) Act 1968.

(3) References in this Part to the district of a local housing authority—

- (a) have the same meaning in relation to an authority in England or Wales as in the Housing Act 1985, and
- (b) in relation to an authority in Scotland, mean the area of the local authority concerned.

Textual Amendments

F1 S. 217(1): definition inserted (31.7.2002 for E. and 30.9.2002 for W.) by 2002 c. 7, s. 18(1), **Sch. 1 para. 20** (with s. 20(4)); S.I. 2002/1799, **art. 2**; S.I. 2002/1736, **art. 2(1)**, **Sch. Pt. 1**

Modifications etc. (not altering text)

C4 Ss. 183-218 modified (3.4.1997) by S.I. 1997/797, **art. 2(1)**

Marginal Citations

M2 1970 c. 42.
M3 1988 c. 43.
M4 1968 c. 49.

218 Index of defined expressions: Part VII.

The following Table shows provisions defining or otherwise explaining expressions used in this Part (other than provisions defining or explaining an expression used in the same section)—

accommodation available for occupation	section 176
applicant	section 183(2)
assistance under this Part	section 183(2)
associated (in relation to a person)	section 178
assured tenancy and assured shorthold tenancy	section 230
district (of local housing authority)	section 217(3)
eligible for assistance	section 183(2)
homeless	section 175(1)
housing functions under this Part (in sections [F2206 and 208])	section 205(2)

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intentionally homeless	section 191
intentionally threatened with homelessness	section 196
local connection	section 199
local housing authority—	section 230
-in England and Wales	section 217(2)(a)
-in Scotland	
F3	F3
...	...
prescribed	section 215(1)
priority need	section 189
[^{F4} private landlord	section 217(1)]
reasonable to continue to occupy accommodation	section 177
registered social landlord	section 230
relevant authority	section 217(1)
social services authority	section 217(1) and (2)(b)
threatened with homelessness	section 175(4)

Textual Amendments

- F2** S. 218: words in entry substituted (31.7.2002 for E. and 30.9.2002 for W.) by 2002 c. 7, s. 18(1), **Sch. 1 para. 21(a)** (with s. 20(4)); S.I. 2002/1799, **art. 2**; S.I. 2002/1736, art. 2(1), **Sch. Pt. 1**
- F3** S. 218: entry repealed (31.7.2002 for E. and 30.9.2002 for W.) by 2002 c. 7, s. 20(1), **Sch. 2** (with s. 20(4)); S.I. 2002/1799, **art. 2**; S.I. 2002/1736, art. 2(1), **Sch. Pt. 1**
- F4** S. 218: entry inserted (31.7.2002 for E. and 30.9.2002 for W.) by 2002 c. 7, s. 18(1), **Sch. 1 para. 21(b)** (with s. 20(4)); S.I. 2002/1799, **art. 2**; S.I. 2002/1736, art. 2(1), **Sch. Pt. 1**

Modifications etc. (not altering text)

- C5** Ss. 183-218 modified (3.4.1997) by S.I. 1997/797, **art. 2(1)**

Status:

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Changes to legislation:

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