

Status: Point in time view as at 26/01/2019.

Changes to legislation: Housing Act 1996, Cross Heading: Powers exercisable as a result of final report or audit is up to date with all changes known to be in force on or before 03 August 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)

SCHEDULES

SCHEDULE 1

REGISTERED SOCIAL LANDLORDS: REGULATION

PART IV

INQUIRY INTO AFFAIRS OF REGISTERED SOCIAL LANDLORDS

Powers exercisable as a result of final report or audit

- 24 (1) Where the [^{F1}Relevant Authority] is satisfied, as the result of an inquiry under paragraph 20 or an audit under paragraph 22, that [^{F2}a registered social landlord has failed to comply with a requirement imposed by or under an enactment], it may make an order under this paragraph.
- (2) The orders that may be made under this paragraph are—
- (a) an order removing any officer, employee or agent of the registered social landlord who appears to the [^{F1}Relevant Authority] to have been responsible for or privy to the [^{F3}failure] or by his conduct to have contributed to or facilitated it;
 - (b) an order suspending any such person for up to six months, pending determination whether he should be removed;
 - (c) an order directing any bank or other person who holds money or securities on behalf of the registered social landlord not to part with the money or securities without the approval of the [^{F1}Relevant Authority];
 - (d) an order restricting the transactions which may be entered into, or the nature or amount of the payments which may be made, by the registered social landlord without the approval of the [^{F1}Relevant Authority].
- (3) Before making an order under sub-paragraph (2)(a) the [^{F1}Relevant Authority] shall give at least 14 days' notice of its intention to do so—
- (a) to the person it intends to remove, and
 - (b) to the registered social landlord concerned.
- Notice under this sub-paragraph may be given by post, and if so given to the person whom the [^{F1}Relevant Authority] intends to remove may be addressed to his last known address in the United Kingdom.
- [^{F4}(3A) Before making an order under sub-paragraph (2)(c) or (d) the Welsh Ministers must take all reasonable steps to give notice to the registered social landlord and, in the case of an order under sub-paragraph (2)(c), to the person to whom the order is directed.]
- (4) A person who is ordered to be removed under sub-paragraph (2)(a) or suspended under sub-paragraph (2)(b) may appeal against the order to the High Court.

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- (5) Where a person is suspended under sub-paragraph (2)(b), the [F1Relevant Authority] may give directions with respect to the performance of his functions and otherwise as to matters arising from the suspension.

The [F1Relevant Authority] may, in particular, appoint a named person to perform his functions.

- (6) A person who contravenes an order under sub-paragraph (2)(c) commits an offence and is liable on summary conviction to a fine not exceeding level 5 on the standard scale or imprisonment for a term not exceeding three months, or both.

Proceedings for such an offence may be brought only by or with the consent of the [F1Relevant Authority] or the Director of Public Prosecutions.

- [F5(7) An order under sub-paragraph (2)(c) or (d) has effect until revoked by the Welsh Ministers.]

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 Sch. 1 para. 24(1) substituted (15.8.2018) by Regulation of Registered Social Landlords (Wales) Act 2018 (anaw 4), **ss. 10(5), 19(2)**; S.I. 2018/777, art. 3(c)
- F3** Word in Sch. 1 para. 24(2)(a) substituted (15.8.2018) by Regulation of Registered Social Landlords (Wales) Act 2018 (anaw 4), **ss. 10(6), 19(2)**; S.I. 2018/777, art. 3(c)
- F4** Sch. 1 para. 24(3A) inserted (18.10.2011) by Housing (Wales) Measure 2011 (nawm 5), **ss. 80(2), 90(2)**; S.I. 2011/2475, arts. 1(2), 2(r)
- F5** Sch. 1 para. 24(7) added (18.10.2011) by Housing (Wales) Measure 2011 (nawm 5), **ss. 80(3), 90(2)**; S.I. 2011/2475, arts. 1(2), 2(r)

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