



# Housing Act 1996

## 1996 CHAPTER 52

### PART VII

#### HOMELESSNESS

##### *Referral to another local housing authority*

#### **198 Referral of case to another local housing authority.**

- (1) If the local housing authority would be subject to the duty under section 193 (accommodation for those with priority need who are not homeless intentionally) but consider that the conditions are met for referral of the case to another local housing authority, they may notify that other authority of their opinion.

The authority need not consider under section 197 whether other suitable accommodation is available before proceeding under this section.

- (2) The conditions for referral of the case to another authority are met if—
- (a) neither the applicant nor any person who might reasonably be expected to reside with him has a local connection with the district of the authority to whom his application was made,
  - (b) the applicant or a person who might reasonably be expected to reside with him has a local connection with the district of that other authority, and
  - (c) neither the applicant nor any person who might reasonably be expected to reside with him will run the risk of domestic violence in that other district.
- (3) For this purpose a person runs the risk of domestic violence—
- (a) if he runs the risk of violence from a person with whom he is associated, or
  - (b) if he runs the risk of threats of violence from such a person which are likely to be carried out.
- (4) The conditions for referral of the case to another authority are also met if—

*Status: Point in time view as at 11/05/2001. This version of this provision has been superseded.*

*Changes to legislation: Housing Act 1996, Section 198 is up to date with all changes known to be in force on or before 20 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)*

- (a) the applicant was on a previous application made to that other authority placed (in pursuance of their functions under this Part) in accommodation in the district of the authority to whom his application is now made, and
  - (b) the previous application was within such period as may be prescribed of the present application.
- (5) The question whether the conditions for referral of a case are satisfied shall be decided by agreement between the notifying authority and the notified authority or, in default of agreement, in accordance with such arrangements as the Secretary of State may direct by order.
- (6) An order may direct that the arrangements shall be—
- (a) those agreed by any relevant authorities or associations of relevant authorities, or
  - (b) in default of such agreement, such arrangements as appear to the Secretary of State to be suitable, after consultation with such associations representing relevant authorities, and such other persons, as he thinks appropriate.
- (7) No such order shall be made unless a draft of the order has been approved by a resolution of each House of Parliament.

**Modifications etc. (not altering text)**

- C1** Ss. 183-218 modified (3.4.1997) by S.I. 1997/797, **art. 2(1)**  
**C2** S. 198 modified (*temp.*) (6.12.1999) by S.I. 1999/3126, **arts.3, 7**

**Commencement Information**

- II** S. 198 wholly in force 20.1.1997: s. 198 not in force at Royal Assent, see s. 232(1)-(3); s. 198(4)-(7) in force for certain purposes at 1.10.1996 by S.I. 1996/2402, **art. 4**; s. 198 in force at 20.1.1997 to the extent it is not already in force by S.I. 1996/2959, **art. 2**

**Status:**

Point in time view as at 11/05/2001. This version of this provision has been superseded.

**Changes to legislation:**

Housing Act 1996, Section 198 is up to date with all changes known to be in force on or before 20 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.