

*Status: Point in time view as at 01/06/2009.*

*Changes to legislation: Housing Act 2004, Paragraph 29 is up to date with all changes known to be in force on or before 01 September 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 7 **E+W**

#### FURTHER PROVISIONS REGARDING EMPTY DWELLING MANAGEMENT ORDERS

#### PART 4 **E+W**

##### APPEALS

*“The operative time” for the purposes of paragraph 9(2)*

- 29 (1) This paragraph defines “the operative time” for the purposes of paragraph 9(2).
- (2) If no appeal is made under paragraph 26 before the end of the period of 28 days mentioned in paragraph 27(2), “the operative time” is the end of that period.
- (3) If an appeal is made under paragraph 26 before the end of that period, and a decision is given on the appeal which confirms the order, “the operative time” is as follows—
- (a) if the period within which an appeal to the [F1Upper Tribunal] may be brought expires without such an appeal having been brought, “the operative time” is the end of that period;
  - (b) if an appeal to the [F1Upper Tribunal] is brought, “the operative time” is the time when a decision is given on the appeal which confirms the order.
- (4) For the purposes of sub-paragraph (3)—
- (a) the withdrawal of an appeal has the same effect as a decision which confirms the order, and
  - (b) references to a decision which confirms the order are to a decision which confirms it with or without variation.

#### Textual Amendments

- F1** Words in Sch. 7 para. 29(3)(a)(b) substituted (1.6.2009) by [Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 5(1)(2), [Sch. 1 para. 283](#) (with Sch. 5)

#### Commencement Information

- II** Sch. 7 para. 29 wholly in force at 16.6.2006; Sch. 7 para. 29 not in force at Royal Assent see s. 270(4) (5); Sch. 7 para. 29 in force for E. at 6.4.2006 by [S.I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with Sch.); Sch. 7 para. 29 in force for W. at 16.6.2006 by [S.I. 2006/1535](#), [art. 2\(a\)](#) (with Sch.)

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