
STATUTORY INSTRUMENTS

1986 No. 2092

**LOCAL GOVERNMENT, ENGLAND
AND WALES LONDON GOVERNMENT
HOUSING, ENGLAND AND WALES**

The Local Government Reorganisation
(Preservation of Right To Buy) Order 1986

Made - - - - *2nd December 1986*
Laid before Parliament *10th December 1986*
Coming into Operation *31st December 1986*

THE LOCAL GOVERNMENT REORGANISATION
(PRESERVATION OF RIGHT TO BUY) ORDER 1986

1. Citation and commencement
 2. Interpretation
 3. Preservation of right to buy
 4. Extent of preserved right: qualifying persons and dwelling-houses
 5. Changes of dwelling-house by qualifying person
 6. Application with modifications of Part V to preserved right
 7. Subsequent dealings: disposal of landlord's interest in qualifying dwelling-house
 8. Subsequent dealings: termination of landlord's interest in qualifying dwelling-house
 9. Subsequent dealings: transfer of qualifying person to alternative accommodation
 10. Land registration and related matters
 11. Disposal after notice claiming to exercise right to buy, etc
 12. Stamp duty on disposal at a discount
- Signature

SCHEDULE 1 — MODIFICATIONS TO PART V AS APPLIED TO THE
PRESERVED RIGHT TO BUY
PART I — EXCEPTIONS AND ADAPTATIONS

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1. (1) Throughout for the expressions “secure tenant” and “tenant” substitute...
2. In section 118 (the right to buy)—
3. In section 119 (qualifying period for right to buy), in...
4. In section 122 (tenant's notice claiming to exercise right to...
5. In section 123 (claim to share right to buy with...
6. In section 125 (landlord's notice of purchase price and other...
7. In section 127 (value of dwelling-house), for subsection (4) substitute—...
8. In section 130 (reduction of discount where previous discount given)—...
9. For section 131 (limits on amount of discount) substitute the...
10. In section 132 (the right to a mortgage), for subsection...
11. In section 133 (the amount to be secured)—
12. In section 134 (tenant's notice claiming to exercise right to...
13. In section 135 (landlord's notice of amount and terms of...
14. In section 136 (change of secure tenant after notice claiming...
15. In section 137 (change of landlord after notice claiming right...
16. In section 138 (duty of landlord to convey freehold or...
17. In section 139 (terms and effect of conveyance or grant...
18. In section 140 (landlord's first notice to complete), in subsection...
19. Omit sections 143 to 153 and Schedules 8 and 9...
20. In section 154 (registration of title)— (a) in subsection (1)—...
21. In section 155 (repayment of discount on early disposal)—
22. In section 156 (liability to repay is a charge on...
23. Omit sections 157 and 158 (restrictions on disposal of dwelling-houses...
24. In section 162 (exempted disposals which end liability under covenants)
—...
25. In section 163 (treatment of options), omit subsection (2).
26. Omit sections 164 to 169 (various powers of Secretary of...
27. In section 170 (power to give assistance in connection with...
28. Omit section 171 (power to extend right to buy, etc.)...
29. Omit section 173 (exclusion of shared ownership leases granted under...
30. In section 174 (leases granted under this Part to be...
31. In section 176 (notices), omit subsections (1), (2) and (5)...
32. Omit section 177 (errors and omissions in notices).
33. In section 178 (costs)— (a) in subsection (1)—
34. In section 179 (provisions restricting right to buy, etc. of...
35. In section 180 (statutory declarations)— (a) for the words “the...
36. In section 181 (jurisdiction of county court)—
37. Omit section 182 (power to repeal or amend local Acts)...
38. In section 184 (land let with or used for purposes...
39. In section 187 (minor definitions), for the definition of “total...
40. After section 187 (minor definitions) insert— In this Part a reference to a
numbered article is...
41. In section 188 (the index to Part V)—
42. In Schedule 4 (qualifying period for right to buy and...
43. In Schedule 5 (exceptions to the right to buy)—
44. In Schedule 6 (conveyance of freehold and grant of lease...
45. In Schedule 7 (mortgage in pursuance of right to a...

PART II — SCHEDULES TO BE INSERTED AFTER SCHEDULE 5

After Schedule 5 insert the following Schedules— SCHEDULE 5A
LIMITS...

SCHEDULE 2 — LAND REGISTRATION AND RELATED MATTERS WHERE RIGHT TO BUY PRESERVED

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Statement to be contained in instrument effecting qualifying disposal

1. On a qualifying disposal, the disponent shall secure that the...

Registration of title on qualifying disposal

2. (1) Where on a qualifying disposal the disponent's title to...
3. Where a qualifying disposal takes the form of the grant...

Entries on register protecting preserved right to buy

4. The Chief Land Registrar on application being made for registration...

Change of qualifying dwelling-house

5. (1) This paragraph applies where by virtue of article 5...

Effect of non-registration

6. (1) The rights of a qualifying person under this order...

Statement required on certain disposals on which right to buy ceases to be preserved

7. (1) A conveyance of the freehold or grant of a...

Removal of entries on land register

8. Where the registered title to land contains an entry made...

Liability to compensate or indemnify

9. (1) An action for breach of statutory duty lies where—...

Meaning of “disposal” and “instrument effecting disposal”

10. References in this Schedule to a disposal or to the...

Explanatory Note