

*This Statutory Instrument has been made in consequence of a defect in [S.I. 1994/133](#) and is being issued free of charge to all known recipients of that Statutory Instrument.*

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## STATUTORY INSTRUMENTS

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# 1994 No. 844

## HOUSING, ENGLAND AND WALES

### The Secure Tenants of Local Housing Authorities (Right to Repair) (Amendment) Regulations 1994

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|-------------------------------|---------|------------------------|
| <i>Made</i>                   | - - - - | <i>22nd March 1994</i> |
| <i>Laid before Parliament</i> |         | <i>23rd March 1994</i> |
| <i>Coming into force</i>      | - -     | <i>1st April 1994</i>  |

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 96 of the Housing Act 1985(1) and of all other powers enabling them in that behalf, hereby make the following Regulations—

#### **Citation and commencement**

1. These Regulations may be cited as the Secure Tenants of Local Housing Authorities (Right to Repair) (Amendment) Regulations 1994 and shall come into force on 1st April 1994.

#### **Amendment**

2. The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994(2) are amended as follows—

- (a) in the definition of contractor in regulation 2 omit “(except in regulation 11)”; and
- (b) for regulation 11 substitute—

“11. In a case where a tenant applies to his landlord before 1st April 1996 for a qualifying repair to be carried out—

- (a) if, on the date the tenant applies, there is in force a contract between the landlord and a contractor—

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(1) 1985 c. 68; section 96 was substituted by section 121 of the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28).  
(2) [S.I. 1994/133](#).

- (i) which provides for the qualifying repair to be carried out by the contractor within a period which is longer than the first prescribed period, and
  - (ii) which was entered into before 1st April 1994, or
  - (iii) which was entered into on or after that date as a result of accepting an offer by the contractor which was made in response to an invitation to submit such an offer (and the invitation was given before 1st April 1994),
- the period provided for in the contract shall be substituted for the period specified in relation to the repair in column 2 of the Schedule;
- (b) if paragraph (a) does not apply and—
    - (i) offers were invited before 1st April 1994 to undertake work which includes the qualifying repair,
    - (ii) the landlord's bid to undertake the work provided for the qualifying repair to be carried out within a period which is longer than the first prescribed period, and
    - (iii) the repair is to be carried out by the landlord in accordance with that bid,the period provided for in the bid shall be substituted for the period specified in relation to the repair in column 2 of the Schedule; and
  - (c) if paragraphs (a) and (b) do not apply and—
    - (i) offers were invited before 1st April 1994 to undertake work which includes the qualifying repair,
    - (ii) the conditions specified, or the specification prepared, for the purposes of the invitation provided for the qualifying repair to be carried out within a period which is longer than the first prescribed period, and
    - (iii) the repair is to be carried out by the landlord in accordance with those conditions or that specification,the period provided for in the conditions or specification shall be substituted for the period specified in relation to the repair in column 2 of the Schedule.”.

Signed by authority of the Secretary of State

18th March 1994

*G. S. K. Young*  
Minister of State,  
Department of the Environment

22nd March 1994

*John Redwood*  
Secretary of State for Wales

## **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations substitute a new transitional provision for that in the Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994. The former provision related only to cases where a repair covered by the Regulations was to be carried out by a contractor for a local housing authority. The new provision also covers cases where the local housing authority is to carry out the repair.