

SCHEDULE

Article 3

TRANSITIONAL PROVISIONS AND SAVINGS

1.—(1) In accordance with article 3 of the Housing Act 1996 (Consequential Provisions) Order 1996(1) and subject as follows, the provisions of Part I of the 1996 Act brought into force by this Order apply in relation to matters occurring before the commencement of the provisions as they apply in relation to matters arising on or after their commencement.

(2) Sub-paragraph (1) does not apply in relation to sections 39 to 50 of the 1996 Act.

2. The repeal of section 4(6) of the 1985 Act does not affect the priority of mortgages entered into before 1st October 1996.

3. The right of appeal under section 6 of the 1996 Act against a decision of the Corporation not to register a landlord or not to remove a landlord from the register does not apply to a decision made before 1st October 1996.

4. The repeal of section 24 of the 1985 Act does not affect the application of an order made under that section in relation to periods ending on or before 30th September 1996.

5. Paragraphs 16(3) to (5) and 19 of Schedule 1 to the 1996 Act apply in relation to accounts which relate to periods ending on or before 30th September 1996 and requirements under section 24 of the 1985 Act as they apply in relation to periods ending after that date and requirements under that paragraph 16.

6. Section 9(6) of the 1996 Act applies in relation to a body which was removed from the register under section 6(2) of the 1985 Act before 1st October 1996 as it applies in relation to a body removed from the register under section 4 of the 1996 Act.

7. The repeal of section 69(1)(e) and (g) of the 1985 Act does not affect applications made under section 69(2) of that Act before 1st October 1996.

8. The repeal of section 58 of the 1988 Act does not affect the application of section 79(2) of the 1985 Act, section 130 of the Housing Act 1985 or sections 11 to 15 of the 1996 Act in relation to a disposal made under section 58.

9. The amendment of section 79(2)(a) of the 1988 Act does not affect the power under section 79 of a housing action trust established under Part III of that Act to dispose of a house subject to a secure tenancy to a person approved under that section or section 94 of that Act.

10. The repeal of section 79(6) to (10) of the 1988 Act and of the words from “but” to the end in section 92(2) of that Act does not affect the application of these sections in relation to approvals given by the Corporation before 1st October 1996.

11. Sections 11 to 15 of the 1996 Act apply in relation to covenants and charges arising under Schedule 2 to the 1985 Act as they apply in relation to those arising under sections 11 to 15.

12.—(1) Part IV of the 1988 Act (change of landlords: secure tenants) and the provisions contained in Part IX of Schedule 19 shall continue to have effect in relation to applications under section 96 of that Act which have not been disposed of before 1st October 1996.

(2) That Part and those provisions shall also continue to have effect, as far as applicable, in relation to acquisitions made before that date, or by virtue of sub-paragraph (1).

(3) In its continued effect by virtue of this paragraph, section 105 of the Housing Act 1988 (consent for subsequent disposals) shall be construed as if in subsections (5) and (6) for the words

(1) [S.I. 1996/2325](#).

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“section 9 of the Housing Associations Act 1985” there were substituted “section 9 of the Housing Act 1996”.