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STATUTORY INSTRUMENTS

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**1996 No. 2753**

**The Allocation of Housing Regulations 1996**

**Cases where the provisions of Part VI of the Act do not apply**

3.—(1) The provisions of Part VI of the Act about the allocation of housing accommodation do not apply in the following cases.

(2) They do not apply to the allocation of housing accommodation by a local housing authority to a person who is already—

- (a) a secure tenant under Part II of the Housing (Northern Ireland) Order 1983<sup>(1)</sup> (secure tenants) where the estate of the landlord belongs to the Northern Ireland Housing Executive,
- (b) a secure tenant under Part III of the Housing (Scotland) Act 1987<sup>(2)</sup> (rights of public sector tenants), or
- (c) an assured tenant of accommodation under Part II of the Housing (Scotland) Act 1988<sup>(3)</sup> (rented accommodation) (otherwise than under a short assured tenancy within the meaning given by section 32 of that Act) where the interest of the landlord belongs to—
  - (i) a housing association registered in the register maintained by Scottish Homes under section 3 of the Housing Associations Act 1985<sup>(4)</sup> (the register), or
  - (ii) a person who acquired the accommodation (otherwise than under Part III of the Housing (Scotland) Act 1987) from a district council or islands council constituted under section 2 of the Local Government (Scotland) Act 1973<sup>(5)</sup> (constitution of councils of regions, islands areas and districts), a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(6)</sup> (constitution of councils), or Scottish Homes.

(3) They do not apply where a local housing authority secures the provision of suitable alternative accommodation under section 39 of the Land Compensation Act 1973<sup>(7)</sup> (duty to rehouse residential occupiers).

(4) They do not apply in relation to the grant of a secure tenancy under section 554 or 555 of the Housing Act 1985<sup>(8)</sup> (grant of tenancy to former owner-occupier or statutory tenant of defective dwelling-house).

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(1) S.I.1983/1118 (N.I. 15).

(2) 1987 c. 26.

(3) 1988 c. 43.

(4) 1985 c. 69; section 3 was amended by the Housing Act 1988 (c. 50), Schedule 6, paragraph 3; repealed in so far as it extended to England and Wales by the Act, Schedule 19, Part I; and amended by S.I. 1996/2325.

(5) 1973 c. 65.

(6) 1994 c. 39.

(7) 1973 c. 26; section 39 was amended by the Land Compensation (Scotland) Act 1973 (c. 56), Schedule 2, Part I, the Housing Act 1974 (c. 44), Schedule 13, paragraph 40, the Development of Rural Wales Act 1976 (c. 75), Schedule 7, paragraph 10, the Housing (Consequential Provisions) Act 1985 (c. 71), Schedule 1, Part I and Schedule 2, paragraph 24, the Local Government and Housing Act 1989 (c. 42), Schedule 12, Part II, the Planning (Consequential Provisions) Act 1990 (c. 11), Schedule 2, paragraph 29.

(8) 1985 c. 68; section 554 was amended by the Housing Act 1988 (c. 50), Schedule 17, paragraph 61.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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