

2005 No. 92

HOUSING, ENGLAND

**The Housing (Right to Buy) (Priority of Charges) (England)
Order 2005**

Made - - - - - *18th January 2005*

Coming into force - - - - - *10th February 2005*

The First Secretary of State, in exercise of the powers conferred upon him by section 156(4) of the Housing Act 1985(a), hereby makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Housing (Right to Buy) (Priority of Charges) (England) Order 2005 and shall come into force on 10 February 2005.

(2) This Order applies in England only.

Specified bodies

2. London Scottish Finance Limited (Company No. 233259) and Cheshire Mortgage Corporation Limited (Company No. 2613335) are hereby specified as approved lending institutions for the purposes of section 156 of the Housing Act 1985 (priority of charges)(b).

Signed by authority of the First Secretary of State

18th January 2005

Keith Hill
Minister of State,
Office of the Deputy Prime Minister

(a) 1985 c. 68; section 156(4) was amended by paragraph 22(1)(c) of Schedule 18, and Part 13 of Schedule 19, to the Housing Act 1996 (c. 52), section 140 of, and paragraph 5 of Schedule 16 to, the Government of Wales Act 1998 (c. 38), and by S.I. 2001/3649. The Secretary of State's functions under section 156, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2 and Schedule 1.

(b) Section 156 was also amended by section 24(1) of, and paragraph 1(2) and (5) of Schedule 5 to, the Housing and Planning Act 1986 (c. 63), by section 120(3) and (4) of the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28), and by section 135 of, and Schedule 13 to, the Land Registration Act 2002 (c. 9).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies London Scottish Finance Limited and Cheshire Mortgage Corporation Limited (“the Companies”) as approved lending institutions for the purposes of section 156 of the Housing Act 1985 (priority of charges on disposals under the right to buy), in addition to the bodies already specified in that section or in previous orders under that section. The Companies also become approved lending institutions for the purposes of section 36 of the 1985 Act (priority of charges on voluntary disposals by local authorities) and section 12 of the Housing Act 1996 (priority of charges on voluntary disposals by registered social landlords).

As section 156 of the Housing Act 1985 is applied by section 171A of that Act (inserted by the Housing and Planning Act 1986 section 8(1), (3)) to cases in which a tenant’s right to buy is preserved, and by section 17 of the Housing Act 1996 to cases in which a tenant has the right to acquire under section 16 of that Act, the Companies are also approved lending institutions for the purposes of those rights.

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