

2006 No. 2239

RACE RELATIONS

The Race Relations Code of Practice (Housing) (Appointed Day) Order 2006

<i>Made</i>	- - - -	<i>17th August 2006</i>
<i>Laid before Parliament</i>		<i>24th August 2006</i>
<i>Coming into force</i>	- -	<i>1st October 2006</i>

This Order is made in exercise of the powers conferred by section 47(7) and (8) of the Race Relations Act 1976(a) (“the Act”) as applied by section 47(9) of the Act.

In accordance with section 47(4) of the Act, a draft revised Code of Practice (prepared by the Commission for Racial Equality and entitled the “Code of Practice on Racial Equality in Housing”) was transmitted to and approved by the Secretary of State who laid it before both Houses of Parliament on 16th June 2006.

In accordance with section 47(5) of the Act, the draft revised Code of Practice lay before each House of Parliament for a period of forty days during which period neither House resolved that no further proceedings should be taken on the draft.

In accordance with section 47(7) of the Act, the Commission for Racial Equality issued the revised Code of Practice in the form of the draft in August 2006.

Accordingly, the Secretary of State makes the following Order:

Citation and Commencement

1. This Order may be cited as the Race Relations Code of Practice (Housing) (Appointed Day) Order 2006 and shall come into force on 1 October 2006.

Revised Code of Practice

2. Subject to article 4, the day appointed for the coming into effect of the revised Code of Practice on Racial Equality in Housing, which was issued by the Commission under subsections (7) and (9) of section 47 of the Race Relations Act 1976 (“the Act”), is 1st October 2006.

(a) 1976 c.74; section 47 was amended by section 137 of the Housing Act 1988 (c.50) and section 180 of the Local Government and Housing Act 1989 (c.42).

Revocation of earlier Orders

3. Subject to article 4, the Race Relations Code of Practice (Rented Housing) Order 1991(a) and the Race Relations Code of Practice (Non-Rented Housing) Order 1992(b) are revoked

Transitional Provisions and Savings

4.—(1) This article applies where a court is hearing any proceedings arising from a complaint (whenever presented) alleging that a person has, before 1st October 2006, committed an act which is unlawful discrimination for the purposes of any provision of the Act.

(2) Where this article applies—

- (a) the revised Code of Practice referred to in article 2 shall not have effect for the purpose of section 47(10) of the Act; and
- (b) the Race Relations Code of Practice in Rented Housing and the Race Relations Code of Practice in Non-Rented (Owner-Occupied) Housing which came into effect on 1st May 1991 and 18th June 1992 respectively shall continue to have effect for the purposes of section 47(10) of the Act.

Signed by authority of the Secretary of State

17th August 2006

Kay Andrews
Parliamentary Under Secretary of State
Department for Communities and Local Government

(a) S.I.1991/227
(b) S.I. 1992/619

EXPLANATORY NOTE

(This note is not part of the Order)

This Order appoints 1st October 2006 as the day on which the revised Code of Practice on Racial Equality in Housing will come into effect. This revised Code replaces the two previous Codes of Practice relating to housing: (i) the Code of Practice in Rented Housing, which was brought into operation on 1st May 1991 by the Race Relations Code of Practice (Rented Housing) Order 1991 (“the Rented Housing Order”); and (ii) the Code of Practice in Non-Rented (Owner Occupied) Housing, which was brought into operation on 18th June 1992 by the Race Relations Code of Practice (Non-Rented Housing) Order 1992 (“the Non-Rented Housing Order”). The revised Code of Practice consists of three separate parts that apply to England, Scotland and Wales respectively.

Article 3 revokes the Rented Housing and Non-Rented Housing Orders.

Article 4 of the Order provides that the revised Code of Practice will not apply to proceedings relating to any alleged act of unlawful discrimination committed before 1st October 2006. In such cases, the previous Codes will continue to apply.

A copy of the revised Code of Practice may be purchased from The Stationary Office (TSO Orders, PO Box 29, Norwich, NR3 1GN, telephone 0870 600 5522, fax 0870 600 5533, email customer.services@tso.co.uk, internet <http://www.tsoshop.co.uk>), or from The Stationary Office Bookshops, or downloaded free of charge from the Commission for Racial Equality website: www.cre.gov.uk.

A full Regulatory Impact Assessment has been prepared in connection with the revised Code of Practice and is available from the Commission for Racial Equality at St Dunstan’s House, 201-211 Borough High Street, London SE1 1GZ. A copy has been placed in the Library of each House of Parliament.

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**The Race Relations Code of Practice (Housing) (Appointed
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