
WELSH STATUTORY INSTRUMENTS

2003 No. 1147 (W.155)

HOUSING, WALES

The Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Amendment) (Wales) Order 2003

Made - - - - *24th April 2003*
Coming into force - - *25th April 2003*

The National Assembly for Wales in exercise of the powers conferred upon it by section 157 of the Housing Act 1985(1) and section 17 of the Housing Act 1996(2), having consulted, in accordance with subsection (6) of section 17 of the Housing Act 1996, such local authorities and bodies as are mentioned in that subsection, makes the following Order:—

Name, commencement and application

1.—(1) The name of this Order is the Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Amendment) (Wales) Order 2003 and it comes into force on 25 April 2003.

(2) This Order applies to Wales only.

Amendment

2. The Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 2003(3) is amended as set out in Articles 3, 4, and 5 below.

Article 1

3. In Article 1 for “2002” substitute “2003”.

Article 2

4. At the end of Article 2 add:

(1) 1985 c. 68; see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I.1999/672).
(2) 1996 c. 52; see article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).
(3) S.I. 2003/54(W.5)

Status: This is the original version (as it was originally made).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

“together with, in the case of section 17(1)(b), all communities and parts of communities within a National Park or within an area designated under section 82 of the Countryside and Rights of Way Act 2000 as an area of outstanding natural beauty.”

Schedule

5. In the Welsh language version of the Schedule under the heading “Ym Mwrdeistref Sirol Rhondda, Cynon, Taf” for “Ardal Harddwch Naturiol Eithriadol Gwyr” substitute “Parc Cenedlaethol Bannau Brycheiniog”.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(4).

24th April 2003

J E Randerson
Minister for Culture, Sport and the Welsh
Language

(4) 1998 c. 38.

EXPLANATORY NOTE

(This note is not part of the Order)

Under section 157 of the Housing Act 1985 (the “1985 Act”) where in pursuance of Part V of the 1985 Act (the right to buy) a conveyance or grant is executed by a local authority or a housing association (the landlord) of a dwelling-house situated in —

a National Park,

an area designated under section 82 of the Countryside and Rights of Way Act 2000 as an area of outstanding natural beauty, or

an area designated by order of the National Assembly for Wales as a rural area,

the conveyance or grant may contain a covenant limiting the freedom of the tenant to dispose of the dwelling-house in the manner specified by that section.

Under section 16 of the Housing Act 1996 (the “1996 Act”) a tenant of a registered social landlord has a right in certain circumstances to acquire the dwelling of which he or she is a tenant. This is however subject to section 17 of the 1996 Act whereby the National Assembly may by order designate rural areas in relation to dwellings in which the right conferred by section 16 does not arise.

This Order amends the Housing (Right to Acquire and Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 2003 which designates rural areas for the purposes of section 157 of the 1985 Act and section 17 of the 1996 Act to remedy the omission of National Parks and Areas of Outstanding Natural Beauty as respects those areas designated under section 17.