
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 that 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 designates rural areas for the purposes of section 157 of the 1985 Act and section 17 of the 1996 Act. It replaces the Housing (Right to Buy) (Designated Rural Areas and Designated Regions) (Wales) Order 1980. In addition, for tenancies which commenced on or after 7th February 2003, this Order replaces Article 3(b) of the Leasehold Reform and Housing (Excluded Tenancies) (Designated Rural Areas) (Wales) Order 1997. For tenancies which commenced before 7th February 2003, article 3(b) of the Leasehold Reform and Housing (Excluded Tenancies) (Designated Rural Areas) (Wales) Order 1997 continues to be effective and this Order shall not apply to the same.