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**Changes to legislation:** *Housing Act 1988, Cross Heading: Members is up to date with all changes known to be in force on or before 15 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## SCHEDULES

### SCHEDULE 7

#### HOUSING ACTION TRUSTS: CONSTITUTION

##### *Members*

- 1 A housing action trust (in this Schedule referred to as a “trust”) shall consist of a chairman and such number of other members (not less than five but not exceeding eleven) as the Secretary of State may from time to time appoint.
- 2 (1) In appointing members of a trust the Secretary of State shall have regard to the desirability of securing the services of persons who live in or have special knowledge of the locality in which the designated area is situated and before appointing any such person as a member he shall consult every local housing authority any part of whose district is included in the designated area.
- (2) Before appointing a person to be a member of a trust the Secretary of State shall satisfy himself that that person will have no financial or other interest likely to affect prejudicially the exercise of his functions as a member; and the Secretary of State may require a person whom he proposes to appoint to give him such information as he considers necessary for that purpose.
- (3) For the purposes of sub-paragraph (2) above, the fact that a person is or may become a tenant of a trust shall not be regarded as giving to that person an interest likely to affect prejudicially the exercise of his functions as a member.
- (4) The Secretary of State shall appoint one of the members to be chairman and, if he thinks fit, another to be deputy chairman of the trust.
- 3 Subject to the following provisions of this Schedule, each member of the trust as such and the chairman and deputy chairman as such shall hold and vacate office in accordance with his appointment.
- 4 If the chairman or deputy chairman ceases to be a member of the trust, he shall also cease to be chairman or deputy chairman, as the case may be.
- 5 Any member of the trust may, by notice in writing addressed to the Secretary of State, resign his membership; and the chairman or deputy chairman may, by like notice, resign his office as such.
- 6 If the Secretary of State is satisfied that a member of the trust (including the chairman or deputy chairman)—
- (a) has become bankrupt or made an arrangement with his creditors [<sup>F1</sup>or has had a debt relief order (under Part 7A of the Insolvency Act 1986) made in respect of him], or
  - (b) has been absent from meetings of the trust for a period longer than three consecutive months without the permission of the trust, or
  - (c) is otherwise unable or unfit to discharge the functions of a member, or is unsuitable to continue as a member,

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the Secretary of State may remove him from his office.

**Textual Amendments**

- F1** Words in [Sch. 7 para. 6\(a\)](#) inserted (1.10.2012) by [The Tribunals, Courts and Enforcement Act 2007 \(Consequential Amendments\) Order 2012 \(S.I. 2012/2404\)](#), art. 1, [Sch. 2 para. 25](#) (with art. 5)

- 7 A member of the trust who ceases to be a member or ceases to be chairman or deputy chairman shall be eligible for reappointment.

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**Changes and effects yet to be applied to :**

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)