

---

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes amendments to, and repeals of, provisions in primary legislation that make reference to registered social landlords in England and the Housing Corporation and also in consequence of the coming into force of certain provisions of the Housing and Regeneration Act 2008. These amendments and repeals are in addition to those in the Housing and Regeneration Act 2008 itself. Part 2 of the Act sets out the functions of the Regulator of Social Housing and a new regulatory regime for registered providers of social housing.

Since December 2008 the Regulator of Social Housing has been exercising the functions of the Housing Corporation transferred to it. Those functions were primarily those in the Housing Associations Act 1985 and the Housing Act 1996. With the commencement of Part 2 of the Housing and Regeneration Act 2008, the Regulator of Social Housing will exercise the functions give it under that Act.

The amendments and repeals in this Order are subject to transitional and saving provisions, the main purposes of which are to ensure that—

- (a) anything done before the commencement date by the Regulator of Social Housing in exercise of functions transferred to it from the Housing Corporation (under the Housing and Regeneration Act 2008 (Transfer of Housing Corporation Functions) Order [2008 \(No. 2839\)](#)) remains valid and where appropriate is treated as done under the equivalent provision in Part 2 of the 2008 Act,
- (b) anything in the process of being done by the Regulator of Social Housing on the commencement date under the existing functions may be continued, and
- (c) anything done by English registered social landlords before the commencement date remains valid.

An impact assessment has been prepared in respect of the Housing and Regeneration Act 2008. It has been deposited in the Library of each House of Parliament and is available from the Department for Communities and Local Government, Eland House, Bressenden Place, London SW1E 5DR or email [tsasponsorsteam@communities.gsi.gov.uk](mailto:tsasponsorsteam@communities.gsi.gov.uk).