

**Changes to legislation:** Housing Act 1988, Part III is up to date with all changes known to be in force on or before 14 March 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

# SCHEDULES

## SCHEDULE 6

### AMENDMENTS OF <sup>M1</sup>HOUSING ASSOCIATIONS ACT 1985

#### Marginal Citations

**M1** 1985 c. 69.

#### PART III

##### AMENDMENTS OF PART III WITH RESPECT TO THE HOUSING CORPORATION AND HOUSING FOR WALES

31 <sup>F1</sup>(1) . . . . .

(2) [<sup>F2</sup>In subsection (2) of that section for the words “the Corporation” there shall be substituted “the Housing Corporation”.]

(3) [<sup>F3</sup>At the end of that section there shall be inserted the following subsections—

“<sup>(3)</sup> In this Part “registered housing association” in relation to the Corporation, means a housing association registered in the register maintained by the Corporation.

(4) In this Part,—

- (a) in relation to land in Wales held by an unregistered housing association, “the Corporation” means Housing for Wales; and
- (b) in relation to land outside Wales held by such an association, “the Corporation” means the Housing Corporation.”]

#### Textual Amendments

**F1** Sch. 6 para. 31(1) repealed (1.11.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. VI** (with ss. 137(1), 139(2), 143(2)); S.I. 1998/2244, **art. 5**

**F2** Sch. 6 para. 31(2) repealed (E.W.) (1.4.2009) by **The Housing Corporation (Dissolution) Order 2009** (S.I. 2009/484), **art. 6, Sch. 2**

**F3** Sch. 6 para. 31(3) repealed (E.W.) (1.4.2010) by **The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010** (S.I. 2010/866), **art. 1(2), Sch. 4** (with **art. 6, Sch. 3**)

[<sup>F4</sup>32 In section 75 (general functions), in subsection (1)(c) for the words “a register of housing associations” there shall be substituted “the register of housing associations referred to in section 3”.]

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#### Textual Amendments

**F4** Sch. 6 para. 32 repealed (E.W.) (1.10.1996) by S.I. 1996/2325, art. 4, Sch. 1 Pt. I

33 [F5 At the end of section 77 (advisory service) there shall be added the following subsection—

“(3) The powers conferred on the Corporation by subsections (1) and (2) may be exercised by the Housing Corporation and Housing for Wales acting jointly”.]

#### Textual Amendments

**F5** Sch. 6 para. 33 repealed (E.W.) (1.4.2010) by The Housing and Regeneration Act 2008 (Consequential Provisions) Order 2010 (S.I. 2010/866), art. 1(2), Sch. 4 (with art. 6, Sch. 3)

34 (1) In section 83 (power to guarantee loans), in subsection (3) (maximum amount outstanding in respect of loans etc.) for the words “the Corporation”, in each place where they occur, there shall be substituted “the Housing Corporation”.

(2) After subsection (3) of that section there shall be inserted the following subsection—

“(3A) The aggregate amount outstanding in respect of—

- (a) loans for which Housing for Wales has given a guarantee under this section, and
- (b) payments made by Housing for Wales in meeting an obligation arising by virtue of such a guarantee and not repaid to Housing for Wales,

shall not exceed £30 million or such greater sum not exceeding £50 million as the Secretary of State may specify by order made with the approval of the Treasury”.

(3) In subsection (4) of that section (procedure for orders of Secretary of State) after the words “subsection (3)” there shall be inserted “or subsection (3A)”.

35 [F6 (1) In section 93 (limit on borrowing), in subsection (2) for the words from “shall not exceed” onwards there shall be substituted “shall not exceed the limit appropriate to the Corporation under subsection (2A)”.

(2) At the end of subsection (2) of that section there shall be inserted the following subsection—

“(2A) The limit referred to in subsection (2) is,—

- (a) in the case of the Housing Corporation, £2,000 million or such greater sum not exceeding £3,000 million as the Secretary of State may specify by order made with the consent of the Treasury; and
- (b) in the case of Housing for Wales, £250 million or such greater sum not exceeding £300 million as the Secretary of State may specify by order made with the consent of the Treasury.”

(3) In subsections (3) to (5) of that section for “(2)”, in each place where it occurs, there shall be substituted “(2A)”.]

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**Textual Amendments**

**F6** Sch. 6 para. 35 repealed (E.W.) (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), art. 6, **Sch. 2**

[<sup>F7</sup>36 In section 106(1) (minor definitions: general) for the definition of “housing activities” there shall be substituted the following—

““housing activities”, in relation to a registered housing association, means all its activities in pursuance of such of its purposes, objects or powers as are of a description mentioned in section 1(1) (a) or subsections (2) to (4) of section 4.”]

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**Textual Amendments**

**F7** Sch. 6 para. 36 repealed (E.W.) (1.1.1996) by [S.I. 1996/2325](#), art. 4, **Sch. 1 Pt. I**

37 In Schedule 6, paragraph 3(3)(b) shall be omitted.

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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](#)