



Housing Act 1988

1988 CHAPTER 50

PART III

HOUSING ACTION TRUST AREAS

Functions

65 Housing action trust as housing authority etc.

- (1) If the Secretary of State so provides by order, in a designated area or, as the case may be, in such part of the area as may be specified in the order, the housing action trust for the area shall have such of the functions described in subsection (2) below as may be so specified.
- (2) The functions referred to in subsection (1) above are—
 - (a) the functions conferred on a local housing authority by Parts II, VI, VII and IX to [F¹XI] and XVI of the ^{M¹}Housing Act 1985 and section 3(1) of the ^{M²}Chronically Sick and Disabled Persons Act 1970;
 - (b) the functions conferred by Part II of the ^{M³}Housing Associations Act 1985 on a local authority, within the meaning of that Act; and
 - (c) the functions conferred by sections 39 to 41 of the ^{M⁴}Land Compensation Act 1973 on the authority which is “the relevant authority” for the purposes of section 39 of that Act.
- (3) As respects the designated area or part thereof to which an order under this section applies, on the coming into force of the order, any function conferred on a housing action trust by the order shall, according to the terms of the order, be exercisable either—
 - (a) by the trust instead of by the authority by which, apart from the order, the function would be exercisable; or
 - (b) by the trust concurrently with that authority.
- (4) Any enactment under which a housing action trust is to exercise a function by virtue of an order under this section shall have effect—

Changes to legislation: Housing Act 1988, Section 65 is up to date with all changes known to be in force on or before 04 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

- (a) in relation to the trust, and
 - (b) where the trust is to have the function concurrently with another authority, in relation to that authority,
- subject to such modifications (if any) as may be specified in the order.
- (5) Where a housing action trust is to exercise functions conferred on a local housing authority by any of Parts VI, VII, IX and XI of the Housing Act 1985, section 36 of the ^{M5}Local Government Act 1974 (recovery by local authorities of establishment charges) shall apply to the housing action trust as if it were a local authority within the meaning of that section.
- (6) Such (if any) of the provisions of Parts XVII and XVIII of the Housing Act 1985 (compulsory purchase, land acquisition and general provisions) as may be specified in an order under this section shall have effect in relation to a housing action trust subject to such modifications as may be specified in the order.
- (7) An order under this section—
- (a) may contain such savings and transitional and supplementary provisions as appear to the Secretary of State to be appropriate; and
 - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

F1 Word in s. 65(2)(a) substituted (3.5.1997) by 1996 c. 62, s. 80(2)(b); S.I. 1997/350, art. 2

Marginal Citations

M1 1985 c. 68.
M2 1970 c. 44.
M3 1985 c. 69.
M4 1973 c. 26.
M5 1974 c. 7.

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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](#)