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**Changes to legislation:** *Housing Act 1996, SCHEDULE 16 is up to date with all changes known to be in force on or before 20 April 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 16

Section 173.

#### ALLOCATION OF HOUSING ACCOMMODATION: CONSEQUENTIAL AMENDMENTS

##### *Housing Act 1985 (c.68)*

- 1 In section 106 of the Housing Act 1985 (information about allocation of secure tenancies) at the end insert—
- “(6) The provisions of this section do not apply to a landlord authority which is a local housing authority so far as they impose requirements corresponding to those to which such an authority is subject under sections 166 and 168 of the Housing Act 1996 (provision of information about housing registers and allocation schemes).”.
- 2 (1) Schedule 1 to the Housing Act 1985 (tenancies which are not secure tenancies) is amended as follows.
- (2) In paragraph 2 (premises occupied in connection with employment) at the beginning of sub-paragraph (1), (2) and (3) insert in each case “ Subject to sub-paragraph (4B) ”.
- (3) In sub-paragraph (4) of that paragraph—
- (a) at the beginning insert “ Subject to sub-paragraph (4A) and (4B) ”, and
- (b) omit the words from “until” to the end.
- (4) After sub-paragraph (4) of that paragraph insert—
- “(4A) Except where the landlord is a local housing authority, a tenancy under sub-paragraph (4) shall become a secure tenancy when the periods during which the conditions mentioned in sub-paragraph (1), (2) or (3) are not satisfied with respect to the tenancy amount in aggregate to more than three years.
- (4B) Where the landlord is a local housing authority, a tenancy under sub-paragraph (1), (2), (3) or (4) shall become a secure tenancy if the authority notify the tenant that the tenancy is to be regarded as a secure tenancy.”.
- (5) In paragraph 5 (temporary accommodation for persons taking up employment) in sub-paragraph (1)—
- (a) for the words from the beginning to first “grant” substitute “ Subject to sub-paragraphs (1A) and (1B), a tenancy is not a secure tenancy ”, and
- (b) omit from “unless” to the end.
- (6) After sub-paragraph (1) of that paragraph insert
- “(1A) Except where the landlord is a local housing authority, a tenancy under sub-paragraph (1) shall become a secure tenancy on the expiry of one year from the grant or on earlier notification by the landlord to the tenant that the tenancy is to be regarded as a secure tenancy.

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- (1B) Where the landlord is a local housing authority, a tenancy under sub-paragraph (1) shall become a secure tenancy if at any time the authority notify the tenant that the tenancy is to be regarded as a secure tenancy.”.
- (7) In paragraph 10 (student lettings) in sub-paragraph (1)—
  - (a) for the words from the beginning to “sub-paragraph (3)” substitute “ Subject to sub-paragraphs (2A) and (2B), a tenancy of a dwelling-house is not a secure tenancy ”, and
  - (b) omit from “unless” to the end.
- (8) After sub-paragraph (2) of that paragraph insert—
  - “(2A) Except where the landlord is a local housing authority, a tenancy under sub-paragraph (1) shall become a secure tenancy on the expiry of the period specified in sub-paragraph (3) or on earlier notification by the landlord to the tenant that the tenancy is to be regarded as a secure tenancy.
  - (2B) Where the landlord is a local housing authority, a tenancy under sub-paragraph (1) shall become a secure tenancy if at any time the authority notify the tenant that the tenancy is to be regarded as a secure tenancy.”.
- (9) In sub-paragraph (3) of that paragraph for the words “sub-paragraph (1)” substitute “ sub-paragraph (2A) ”.

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**Modifications etc. (not altering text)**  
**C1** Sch. 16 para. 2 restricted (25.11.1996) by [S.I. 1996/2959, art. 3](#), [Sch. para.2](#)

*Asylum and Immigration Act 1996 (c. 49)*

<sup>F13</sup> .....

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**Textual Amendments**  
**F1** Sch. 16 para. 3 repealed (1.3.2000) by [1999 c. 33, s. 169\(3\)](#), [Sch. 16](#); [S.I. 2000/464, art. 2](#) [Sch.](#)

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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](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 124(1A) inserted by [2016 c. 22 Sch. 7 para. 20\(2\)](#)
- s. 124(6) inserted by [2016 c. 22 Sch. 7 para. 20\(6\)](#)
- s. 124A124B inserted by [2016 c. 22 Sch. 7 para. 21](#)
- s. 125A(3A)(3B) inserted by [2016 c. 22 Sch. 7 para. 22\(3\)](#)
- s. 130A inserted by [2016 c. 22 Sch. 8 para. 7](#)
- s. 133(1A) inserted by [2016 c. 22 Sch. 8 para. 9\(2\)](#)
- s. 143J(3A) inserted by [2016 c. 22 Sch. 8 para. 13\(2\)](#)
- s. 143J(7)(a) words omitted by [S.I. 2022/1166 reg. 25\(11\)\(b\)](#) (This amendment comes into force immediately after 2016 c. 22, s. 120 and Sch. 8 para. 13(3) come into force)
- s. 143GA143GB inserted by [2016 c. 22 Sch. 8 para. 10](#)
- s. 143MA(3A)-(3D) inserted by [2016 c. 22 Sch. 7 para. 27\(3\)](#)
- s. 143MB inserted by [2016 c. 22 Sch. 7 para. 28](#)