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SCHEDULES

SCHEDULE 16

HOUSING FOR WALES

The Housing Act 1985 (c. 68)

- The Housing Act 1985 has effect subject to the following amendments.
- Subject to the following provisions, in each place (except in the phrases "Housing Corporation", "the Income and Corporation Taxes Act 1988" and "British Coal Corporation"), for "Corporation" substitute "Relevant Authority".
- In section 5(4)(b) (meaning of "registered social landlord"), for "Housing for Wales" substitute "the Secretary of State".
- In section 6A(1) and (2) (interpretation), for "Housing for Wales" substitute "the Secretary of State".
- 8 (1) Section 45 (definition of "public sector authority") is amended as follows.
 - (2) In subsection (2), for "Corporation" substitute "Housing Corporation or Scottish Homes".
 - (3) After that subsection insert—
 - "(2A) In subsection (1)(a) "public sector authority" also includes the Secretary of State if the freehold has been conveyed by him (or Housing for Wales) under section 90 of the Housing Associations Act 1985."
- In section 57 (index of defined expressions), omit the entry relating to "the Corporation".
- In section 92(2A)(a) (assignments by way of exchange), omit "Housing for Wales,".
- In section 117 (index of defined expressions)—
 - (a) omit the entry relating to "the Corporation", and
 - (b) after the entry relating to "registered social landlord" insert—

"the Relevant Authority	section 6A".	

- In section 157(4) (restriction on disposal of dwelling-houses in National Parks etc.), after "association" insert "within section 6A(3) or (4)".
- In section 171(2) (power to extend right to buy etc.), for "Corporation" substitute "Housing Corporation or Scottish Homes".
- In section 188 (index of defined expressions)—
 - (a) omit the entry relating to "the Corporation", and
 - (b) after the entry relating to "regular armed forces of the Crown" insert—

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"the Relevant Authority

section 6A".

- 15 (1) Section 429A (housing management: financial assistance) is amended as follows.
 - (2) In subsection (2A), omit paragraph (b).
 - (3) After that subsection insert—
 - "(2B) The reference in subsection (2)(a) to a body within subsection (2A) includes the Secretary of State if he has the interest as the result of the exercise by him (or Housing for Wales) of functions under Part III of the Housing Associations Act 1985."
- In section 450A (loans for service charges in right to buy cases), after subsection (1) insert—
 - "(1A) But, except for cases where he is the landlord as the result of the exercise by him (or Housing for Wales) of functions under Part III of the Housing Associations Act 1985, the regulations may not contain provision for cases where the Secretary of State is the landlord."
- 17 (1) Section 450B (loans for service charges) shall be amended as follows.
 - (2) After subsection (1) insert—
 - "(1A) But, except for cases where he is the landlord as the result of the exercise by him (or Housing for Wales) of functions under Part III of the Housing Associations Act 1985, the regulations may not contain provision for cases where the Secretary of State is the landlord."
 - (3) After subsection (3) insert—
 - "(3A) For the purposes of this section a long lease granted or assigned by the Secretary of State shall only be taken to have been granted or assigned by a housing authority if the Secretary of State granted or assigned it in exercise of his powers under section 90 of the Housing Associations Act 1985."
- 18 (1) Section 458 (definitions) is amended as follows.
 - (2) That section is renumbered as subsection (1) of that section and in that subsection, in the definition of "housing authority", after "includes" insert "(subject to subsection (2))".
 - (3) After that subsection insert—
 - "(2) In section 444 "housing authority" does not include the Secretary of State unless the interest in the house is or was acquired on a disposal by him under section 90 of the Housing Associations Act 1985; and in section 452 "housing authority" does not include the Secretary of State unless the disposal was under that section 90."
- 19 In section 459 (index of defined expressions)—
 - (a) omit the entry relating to "the Corporation", and
 - (b) after the entry relating to "registered social landlord" insert—

"the Relevant Authority

section 6A".

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- 20 In section 577 (index of defined expressions)—
 - (a) omit the entry relating to "the Corporation", and
 - (b) after the entry relating to "reinstatement grant" insert—

"the Relevant Authority

section 6A".

- 21 (1) Schedule 2 (grounds for possession of dwelling-houses let under secure tenancies) is amended as follows.
 - (2) In Ground 10A in Part II, for "Corporation" substitute "Housing Corporation or Scottish Homes".
 - (3) In paragraph 6 of Part V, for "registered social landlord, the Corporation, and not the Secretary of State," substitute "social landlord registered in the register maintained by the Housing Corporation under section 1 of the Housing Act 1996 or a housing association registered in the register maintained by Scottish Homes under section 3 of the Housing Associations Act 1985, the Housing Corporation, or Scottish Homes, (and not the Secretary of State)".
- In paragraph 7(1) of Schedule 4 (landlords for the purposes of right to buy etc.), for "Corporation" substitute "Housing Corporation or Housing for Wales".