

Changes to legislation: Government of Wales Act 1998, Cross Heading: The Housing Associations Act 1985 (c.69) is up to date with all changes known to be in force on or before 19 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](#)

SCHEDULES

SCHEDULE 16

HOUSING FOR WALES

Commencement Information

- II** [Sch. 16](#) in force at 1.11.1998 by [S.I. 1998/2244](#), [art. 5](#)

The Housing Associations Act 1985 (c.69)

23 The Housing Associations Act 1985 has effect subject to the following amendments.

24 ^{F1}

Textual Amendments

- F1** [Sch. 16 para. 24](#) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 321(1), 325, [Sch. 16](#); [S.I. 2010/862](#), [art. 3](#) (subject to [Sch.](#))

25 ^{F2}

Textual Amendments

- F2** [Sch. 16 para. 25](#) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 321(1), 325, [Sch. 16](#); [S.I. 2010/862](#), [art. 3](#) (with transitional savings in [Sch.](#))

26 ^{F3}

Textual Amendments

- F3** [Sch. 16 para. 26](#) repealed (1.4.2010) by [Housing and Regeneration Act 2008 \(c. 17\)](#), ss. 321(1), 325, [Sch. 16](#); [S.I. 2010/862](#), [art. 3](#) (with transitional savings in [Sch.](#))

27 (1) Section 69 (power to vary or terminate certain agreements with housing associations) is amended as follows.

(2) [^{F4}In subsection (1)(a), after “Housing for Wales” insert “ and then to the Secretary of State ”.]

(3) In subsection (2)—

(a) for “On the application of a party to an agreement to which this section applies, the Secretary of State” substitute “ If any person (other than the

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Secretary of State) who is a party to an agreement to which this section applies makes an application to the Secretary of State, he ”, and

- (b) at the end (but not as part of paragraph (b)) insert— “ and where the Secretary of State is a party to such an agreement, he may agree that it shall have effect with any variations or that it shall be terminated. ”

(4) [^{F4}In subsection (2A)—

- (a) after “Housing for Wales”, in the first place, insert “ and then to the Secretary of State ”, and
- (b) for “Housing for Wales”, in the second place, substitute “ the Secretary of State ”.]

Textual Amendments

F4 Sch. 16 para. 27(2)(4) repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, **Sch. 4** (with art. 6 Sch. 3)

28

[^{F5}Subject to the following provisions, in each place in Part III (including headings and sidenotes) except in Schedule 6 and the phrase “Housing Corporation”—

- (a) for “Corporation” substitute “ Relevant Authority ”, and
- (b) for “Corporation’s” substitute “ Relevant Authority’s ”.]

Textual Amendments

F5 Sch. 16 para. 28 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, **Sch. 4** (with art. 6 Sch. 3)

29

[^{F6}(1) Section 74 (interpretation) is amended as follows.

- (2) In subsection (1), for “, and Housing for Wales, each of which” substitute (1A) Each of them”.

(3) In subsection (4)(a), for “Housing for Wales” substitute “ the Secretary of State ”.]

Textual Amendments

F6 Sch. 16 para. 29 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, **Sch. 4** (with art. 6 Sch. 3)

^{F7}30

Textual Amendments

F7 Sch. 16 para. 30 repealed (2.4.2001) by [2000 c. 34, s. 9\(2\)](#), **Sch. 3** (with s. 10(5)); [S.I. 2001/566](#), **art. 2(1)** (subject to [art. 2\(2\)](#))

31

[^{F8}In section 76(1), (2) and (4) (directions by the Secretary of State), for “Corporation” substitute “ Housing Corporation ”.]

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Textual Amendments

F8 Sch. 16 para. 31 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

32 **F9**

Textual Amendments

F9 Sch. 16 para. 32 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

33 **[^{F10}In section 77(3) (joint provision of advisory service by Housing Corporation and Housing for Wales), for “Housing for Wales” substitute “ the Secretary of State ”.]**

Textual Amendments

F10 Sch. 16 para. 33 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

34 **F11**

Textual Amendments

F11 Sch. 16 para. 34 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

35 (1) Section 79 (lending powers) is amended as follows.

(2) For subsections (1) and (2) substitute—

“(1) The Relevant Authority may lend to a registered social landlord or an unregistered self-build society, and the Housing Corporation may lend to any of its subsidiaries or to any other body in which it holds an interest, for the purpose of enabling the body to meet the whole or part of expenditure incurred or to be incurred by it in carrying out its objects.

(2) The Relevant Authority may lend to an individual for the purpose of enabling him to acquire from—

(a) the Relevant Authority, or

(b) any body to which the Relevant Authority may lend under subsection (1),

a legal estate or interest in a dwelling which he intends to occupy.”

(3) **[^{F12}In subsection (4), after “and” insert “ (in the case of a loan by the Housing Corporation) ”.]**

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Textual Amendments

F12 Sch. 16 para. 35(3) repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

36 ^[F13](1) Section 80 (security for loans to unregistered self-build societies) is amended as follows.

(2) In subsection (1), omit “, with the written consent of the Secretary of State.”.

(3) In subsection (3), omit “given with the like consent”.

(4) After that subsection insert—

“(3A) The written consent of the Secretary of State is required for the giving, varying or revoking of directions by the Housing Corporation.”

(5) In subsection (4), for the words from “consent” to “or to” substitute “ give directions under this section requiring a society to transfer its interest in land to him or any other person, and shall not consent to the Housing Corporation’s giving such directions requiring a society to transfer its interest in land to the Housing Corporation or ”.]

Textual Amendments

F13 Sch. 16 para. 36 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

37 ^[F14](1) Section 83 (power to guarantee loans) is amended as follows.

(2) For subsection (1) substitute—

“(1) The Relevant Authority may guarantee the repayment of the principal of, and the payment of interest on, sums borrowed by registered social landlords or unregistered self-build societies; and the Housing Corporation may guarantee the repayment of the principal of, and the payment of interest on, sums borrowed by other bodies in which it holds an interest.”

(3) After that subsection insert—

“(1A) The consent of the Secretary of State given with the approval of the Treasury is required for the giving of a guarantee by the Housing Corporation and the approval of the Treasury is required for the giving of a guarantee by the Secretary of State.”

(4) In subsection (3A), for “Housing for Wales” (in each place) substitute “ the Secretary of State (or Housing for Wales) ”.]

Textual Amendments

F14 Sch. 16 para. 37 repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

38 (1) Section 84 (agreements to indemnify certain lenders) is amended as follows.

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- (2) In subsection (1), omit “, with the approval of the Secretary of State,”.
- (3) ^{F15}
- (4) In subsection (5), after “approval” insert “ and before himself entering into an agreement in a form about which he has not previously consulted under this subsection ”.

Textual Amendments

F15 Sch. 16 para. 38(3) repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

- 39 In section 85(4) (meaning of “relevant advance”)—
 - (a) ^{F16}
 - (b) at the end (but not as part of the list) insert— “ or an advance made to such a person by the Secretary of State if the conveyance, assignment or grant was made under section 90. ”

Textual Amendments

F16 Sch. 16 para. 39(a) repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

- 40 In section 87(2) (ways in which financial assistance under the section may be given), after “giving any form of financial assistance” insert “ under this section ”.
- 41 ^{F17}

Textual Amendments

F17 Sch. 16 para. 41 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

- 42 (1) Section 90 (disposal of land) is amended as follows.
 - (2) In subsection (1), for the words “(ancillary development)” onwards substitute “ (ancillary development) to a registered social landlord or an unregistered self-build society; and the Housing Corporation may dispose of such land to any of its subsidiaries or to any other body in which it holds an interest. ”
 - (3) In subsection (2), for the words following “new town corporation” substitute “, or
Scottish Homes;

and the Housing Corporation may dispose of any such land to any of its subsidiaries. ”
 - (4) ^{F18}
 - (5) ^{F18}
 - (6) ^{F18}

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(7) ^{F18}

Textual Amendments
F18 Sch. 16 para. 42(4)-(7) repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

43 ^{F19}

Textual Amendments
F19 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

44 ^{F20}

Textual Amendments
F20 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

45 ^{F21}

Textual Amendments
F21 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

46 ^{F22}

Textual Amendments
F22 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

47 ^{F23}

Textual Amendments
F23 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

48 ^{F24}

Textual Amendments
F24 Sch. 16 paras. 43-51 repealed (1.4.2009) by The Housing Corporation (Dissolution) Order 2009 (S.I. 2009/484), arts. 1(3), 6, **Sch. 2**

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49 F25

Textual Amendments

F25 Sch. 16 paras. 43-51 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

50 F26

Textual Amendments

F26 Sch. 16 paras. 43-51 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

51 F27

Textual Amendments

F27 Sch. 16 paras. 43-51 repealed (1.4.2009) by [The Housing Corporation \(Dissolution\) Order 2009 \(S.I. 2009/484\)](#), arts. 1(3), 6, [Sch. 2](#)

52 In paragraph 6(2)(b) of Part I of Schedule 5 (payments by Secretary of State where dwellings become vested in certain bodies), omit “or Housing for Wales”.

53 (1) Schedule 7 (powers exercisable where loan outstanding under section 2 of the ^{M1}Housing Act 1964) is amended as follows.

(2) In paragraph 2—

- (a) in sub-paragraph (1), omit “, with the consent in writing of the Secretary of State,”,
- (b) in sub-paragraph (2), omit “given with the like consent”, and
- (c) after that sub-paragraph insert—

“(3) The written consent of the Secretary of State is required for the giving, varying or revoking of directions by the Housing Corporation.”

(3) [^{F28}In paragraph 3—

- (a) for “Corporation” (in both places) substitute “ Housing Corporation ”, and
- (b) at the end insert “ ; and the Secretary of State shall not give a housing association directions under paragraph 2 unless he at the same time makes, or has previously made, such a scheme. ”]

(4) [^{F28}Paragraph 4 shall be renumbered as sub-paragraph (1) of that paragraph and—

- (a) in that sub-paragraph, for “Corporation” (in both places) substitute “ Housing Corporation ”, and
- (b) after that sub-paragraph insert—

“(2) The Secretary of State shall not give to such an association directions under paragraph 2 requiring the association to transfer any land to the Secretary of State, or to any other person, unless he is so satisfied.”]

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(5) ^{F28}In paragraph 5—

(a) in sub-paragraph (1), for “Corporation” (in both places) substitute “Housing Corporation”;

(b) after that sub-paragraph insert—

“(1A) If it so appears to the Secretary of State, he may make a scheme.”;

(c) in sub-paragraphs (3), (4) and (5), for “Corporation” substitute “Housing Corporation”; and

(d) after sub-paragraph (5) insert—

“(6) Where the Secretary of State makes the scheme, he shall have power to acquire for the purposes of the scheme the association’s interest in the land and to carry through the provisions of the scheme.”]

Textual Amendments

F28 Sch. 16 para. 53(3)(4)(5) repealed (E.W.) (1.4.2010) by [The Housing and Regeneration Act 2008 \(Consequential Provisions\) Order 2010 \(S.I. 2010/866\)](#), arts. 3(2), 7, [Sch. 4](#) (with art. 6 Sch. 3)

Marginal Citations

M1 1964 c. 56.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

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

- s. 104(1A) inserted by [2022 asc 1 s. 68\(6\)\(a\)](#)
- Sch. 1 para. 5A5B by [2000 c. 41 Sch. 3 para. 10\(5\)](#) (This amendment not applied to legislation.gov.uk. Sch. 3 paras. 8-16 repealed without ever being in force by Government of Wales Act 2006 (c. 32), s. 163, {Sch. 12} (with Sch. 11 para. 22), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to s. 161(4)(5) of the amending Act, which provides for certain provisions to come into force for specified purposes immediately after the end of "the initial period" (which ended with the day of the first appointment of a First Minister on 25.5.2007) -- see ss. 46, 161(1)(4)(5) of the amending Act.)
- Sch. 17 para. 11A inserted by [2022 asc 1 Sch. 4 para. 12\(4\)\(b\)](#)