



Housing Act 2004

2004 CHAPTER 34

PART 1

HOUSING CONDITIONS

CHAPTER 4

DEMOLITION ORDERS AND SLUM CLEARANCE DECLARATIONS

Appeals

48 Transfer of jurisdiction in respect of appeals relating to demolition orders etc.

- (1) Part 9 of the Housing Act 1985 (c. 68) (slum clearance) is further amended as follows.
- (2) In section 269 (right of appeal against demolition order etc.)—
 - (a) in subsection (1), for “the county court” substitute “ a residential property tribunal ”;
 - (b) in subsection (3), for “court” substitute “ tribunal ”; and
 - (c) in subsection (6)(a) and (b), for “Court of Appeal” substitute “ Lands Tribunal ”.
- (3) In section 272 (demolition orders)—
 - (a) in subsection (2), for “the court” in the first place it appears substitute “ a residential property tribunal ”, and in the second place it appears substitute “ such a tribunal ”;
 - (b) in subsection (5), for the words from the beginning to “and has” substitute “ A residential property tribunal has jurisdiction to hear and determine proceedings under subsection (1) (as well as those under subsection (2)), and a county court has ”; and
 - (c) in subsection (6), for “the court” substitute “ a tribunal or court ”.
- (4) In section 317 (power of court to determine lease where premises demolished etc.)—

Changes to legislation: Housing Act 2004, Section 48 is up to date with all changes known to be in force on or before 11 August 2023. 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 subsection (1), for “the county court” substitute “ a residential property tribunal ”; and
 - (b) in subsections (2) and (3), for “court” substitute “ tribunal ”.
- (5) In section 318 (power of court to authorise execution of works on unfit premises or for improvement)—
- (a) in the sidenote, for “court” substitute “ tribunal ”;
 - (b) in subsection (1), for “the court” in the first place it appears substitute “ a residential property tribunal ”, and in the second place it appears substitute “ the tribunal ”;
 - (c) in subsections (2) and (3), for “court” substitute “ tribunal ”; and
 - (d) omit subsection (4).

Commencement Information

- II** [S. 48](#) wholly in force at 16.6.2006; [s. 48](#) not in force at Royal Assent see [s. 270\(4\)\(5\)](#); [s. 48](#) in force for E. at 6.4.2006 by [S. I. 2006/1060](#), [art. 2\(1\)\(a\)](#) (with [Sch.](#)); [s. 48](#) in force for W. at 16.6.2006 by [S. I. 2006/1535](#), [art. 2\(a\)](#) (with [Sch.](#))

Changes to legislation:

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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. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)