



Housing and Regeneration Act 2008

2008 CHAPTER 17

PART 2

REGULATION OF SOCIAL HOUSING

CHAPTER 5

DISPOSAL OF PROPERTY^{F1} BY PRIVATE REGISTERED PROVIDERS]

Consents under other legislation

^{F1}190 Consent to disposals under other legislation

.....

Textual Amendments

F1 S. 190 omitted (6.4.2017) by virtue of [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 4 para. 20](#); S.I. 2017/75, reg. 4

191 Section 190: consequential amendments

(1) In section 171D of the Housing Act 1985 (consent to certain disposals of housing obtained subject to the preserved right to buy)—

- (a) in subsection (2) (consent) for “Secretary of State” substitute “ appropriate authority ”, and
- (b) after that subsection insert—

“(2A) “The appropriate authority” means—

- (a) in relation to a disposal of land in England by a registered provider of social housing, the Regulator of Social Housing,

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (b) in relation to any other disposal of land in England, the Secretary of State, and
 - (c) in relation to a disposal of land in Wales, the Welsh Ministers.”
- (2) In section 81 of the Housing Act 1988 (consent to certain disposals of housing obtained from housing action trusts)—
- (a) in subsection (3) (consent) for “Secretary of State” substitute “ appropriate authority ”,
 - (b) after that subsection insert—
 - “(3A) In this section “the appropriate authority” means—
 - (a) in relation to a disposal of land in England by a registered provider of social housing, the Regulator of Social Housing,
 - (b) in relation to any other disposal of land in England, the Secretary of State, and
 - (c) in relation to a disposal of land in Wales, the Welsh Ministers.”,
 - (c) in subsection (5) (consultation of tenants) for “Secretary of State” substitute “ appropriate authority ”,
 - (d) in subsection (5)(a) for “himself” substitute “ itself ”, and
 - (e) omit subsection (6) (consultation of Housing Corporation).
- (3) In section 133 of that Act (consent to certain disposals of housing obtained from local authorities)—
- (a) in subsection (1) (consent) for “Secretary of State” substitute “ appropriate authority ”,
 - (b) after that subsection insert—
 - “(1ZA) In this section “the appropriate authority” means—
 - (a) in relation to a disposal of land in England by a registered provider of social housing, the Regulator of Social Housing,
 - (b) in relation to any other disposal of land in England, the Secretary of State, and
 - (c) in relation to a disposal of land in Wales, the Welsh Ministers.”,
 - (c) after subsection (1A) insert—
 - “(1B) This section does not apply to a disposal of land by a registered provider of social housing unless the land is social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008.”,
 - (d) in subsection (3)(c) (modification of certain provisions applied for the purposes of section 133) after “this section,” insert “ any reference to the appropriate national body shall be construed as a reference to the appropriate authority and ”,
 - (e) in subsection (5) (consultation of tenants) for “Secretary of State” substitute “ appropriate authority ”,
 - (f) in subsection (5)(a) for “himself” substitute “ itself ”, and
 - (g) omit subsection (6) (consultation of Housing Corporation).

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (4) In section 173 of the Local Government and Housing Act 1989 (c. 42) (consent to certain disposals of housing obtained from new town corporations)—
- (a) in subsection (1)(a) (consent) for “Secretary of State” substitute “ appropriate authority ”,
 - (b) after subsection (1) insert—
 - “(1A) In this section “the appropriate authority” means—
 - (a) in relation to a disposal of land in England by a registered provider of social housing, the Regulator of Social Housing,
 - (b) in relation to any other disposal of land in England, the Secretary of State, and
 - (c) in relation to a disposal of land in Wales, the Welsh Ministers.”,
 - (c) in subsection (5) (consultation of tenants) for “Secretary of State” substitute “ appropriate authority ”,
 - (d) in subsection (5)(a) for “himself” substitute “ itself ”, and
 - (e) omit subsection (6) (consultation of Housing Corporation).

Commencement Information

II S. 191 in force at 1.4.2010 by [S.I. 2010/862](#), [art. 2](#) (with [Sch.](#))

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Housing and Regeneration Act 2008. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

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. 14(6A) inserted by 2023 c. 55 s. 138
- s. 107(2A) inserted by 2023 c. 36 s. 3(2)(c)
- s. 107(4A)(4B) inserted by 2023 c. 36 s. 3(2)(f)
- s. 107(6A) inserted by 2023 c. 36 s. 3(2)(i)
- s. 115(6A) inserted by 2023 c. 36 s. 8(d)
- s. 117(1A) inserted by 2023 c. 36 s. 4(3)
- s. 117(4A) inserted by 2023 c. 36 s. 4(5)
- s. 126A-126D inserted by 2023 c. 36 s. 10(2)
- s. 146(2B) inserted by 2023 c. 36 s. 12(3)(e)
- s. 153(1)(ba) inserted by 2023 c. 36 s. 12(6)(a)
- s. 153(1A) inserted by 2023 c. 36 s. 12(6)(b)
- s. 154(2)(ab) inserted by 2023 c. 36 Sch. 1 para. 18
- s. 161A inserted by 2023 c. 36 s. 18(2)
- s. 163A applied (with modifications by S.I. 2023/1311 reg. 9)
- s. 163A inserted by 2023 c. 36 s. 17(3)
- s. 163B inserted by 2023 c. 36 s. 18(3)
- s. 169CA inserted by 2023 c. 36 s. 19(4)
- s. 169CB-169CD and cross-heading inserted by 2023 c. 36 s. 20(2)
- s. 169ZA inserted by 2023 c. 36 Sch. 5 para. 14
- s. 199(9) inserted by 2023 c. 36 s. 28(2)(c)
- s. 199A-199B inserted by 2023 c. 36 s. 28(3)
- s. 200(4A) inserted by 2023 c. 36 s. 28(4)(d)
- s. 201A inserted by 2023 c. 36 s. 29(2)
- s. 203A inserted by 2023 c. 36 s. 30(4)
- s. 215(1A) inserted by 2023 c. 36 s. 29(3)
- s. 218(2)(e) inserted by 2023 c. 36 Sch. 5 para. 26(b)
- s. 218A-218D and cross-heading inserted by 2023 c. 36 s. 31(2)
- s. 220(11B) inserted by 2023 c. 36 s. 10(3)
- s. 220(11D)(11E) inserted by 2023 c. 36 s. 31(3)
- s. 225A-225H and cross-heading inserted by 2023 c. 36 s. 32
- s. 227(7B) inserted by 2023 c. 36 s. 10(4)
- s. 227(7D)(7E) inserted by 2023 c. 36 s. 31(4)
- s. 237(5)(6) inserted by 2023 c. 36 s. 31(5)
- s. 247(1)(c) and word inserted by 2023 c. 36 s. 31(6)
- s. 247(1)(ab)(ac) inserted by 2023 c. 36 s. 10(5)
- s. 249(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 7(b)
- s. 251(1)(c) and word inserted by 2023 c. 36 s. 31(7)
- s. 251(1)(ab)(ac) inserted by 2023 c. 36 s. 10(6)
- s. 252(2A) inserted by 2023 c. 36 Sch. 3 para. 9(b)
- s. 252A(2)(c)(d) inserted by 2023 c. 36 s. 10(7)(b)
- s. 252A(2)(e) inserted by 2023 c. 36 Sch. 3 para. 10(b)
- s. 252A(2)(f) and word inserted by 2023 c. 36 s. 31(8)
- s. 253(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 11(b)
- s. 255(1)(c) and word inserted by 2023 c. 36 Sch. 3 para. 12(b)
- s. 259(3A) inserted by 2023 c. 36 Sch. 3 para. 15(d)
- s. 266(9) inserted by 2023 c. 36 Sch. 3 para. 17(b)
- s. 269(1)(ba)(bb) inserted by 2023 c. 36 Sch. 3 para. 18(c)

– s. 269(1A) inserted by [2023 c. 36 Sch. 3 para. 18\(d\)](#)