
STATUTORY INSTRUMENTS

1984 No. 1554

HOUSING, ENGLAND AND WALES

The Housing (Right To Buy) (Priority of Charges) Order 1984

Made - - - - 28th September 1984

Coming into Operation 20th October 1984

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 8(5) of the Housing Act 1980⁽¹⁾, and of all other powers enabling them in that behalf, and with the consent of the Treasury, hereby make the following order:—

1. This order may be cited as the Housing (Right to Buy) (Priority of Charges) Order 1984 and shall come into operation on 20th October 1984.
2. The bodies set out in Schedule 1 to this order are hereby specified for the purposes of section 8(5) of the Housing Act 1980.
3. The class or description of bodies set out in Schedule 2 to this order is hereby specified for the purposes of section 8(5) of the Housing Act 1980.

19th September 1984

Patrick Jenkin
Secretary of State for the Environment

Signed by authority of the Secretary of State

20th September 1984

John Stradling Thomas
Minister of State
Welsh Office

(1) section 8(5) was substituted by section 5(5) of the Housing and Building Control Act 1984 (c.29).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more***

We consent,

28th September 1984

T. Garel-Jones
D. J. F. Hunt
Two of the Lords Commissioners of Her
Majesty's Treasury

SCHEDULE 1

BODIES SPECIFIED FOR THE PURPOSES OF SECTION 8(5) OF THE HOUSING ACT 1980

1. National Westminster Home Loans Limited.
2. The Bank of England.
3. The Post Office.

SCHEDULE 2

CLASS OR DESCRIPTION OF BODIES SPECIFIED FOR THE PURPOSES OF SECTION 8(5) HOUSING ACT 1980

Recognised banks and licensed institutions within the meaning of the Banking Act 1979 other than any bank or institution falling within paragraph 7 of the Schedule to the Home Purchase Assistance and Housing Corporation Guarantee Act 1978.

EXPLANATORY NOTE

Under the Housing Act 1980 liability to repay discount following the exercise of the right to buy is secured by a charge on the dwelling. The charge has priority in the circumstances set out in section 8(4)(b) and (4A) (substituted by section 5(4) of the Housing and Building Control Act 1984) of the 1980 Act after certain legal charges, including charges securing amounts advanced by a body falling within section 8(5) of the 1980 Act. Certain bodies are listed in section 8(5).

This order specifies additional bodies and a class or description of bodies for these purposes and for the purposes of the equivalent provisions referred to in section 104(B)(6) (substituted by paragraph 1(5) of Schedule 6 to the 1984 Act) of the Housing Act 1957 (c.56). Section 104(B) deals with voluntary disposals at a discount by local authorities, and is applied to similar disposals by housing associations by section 122(4) of the 1980 Act.