
STATUTORY INSTRUMENTS

1988 No. 1726

HOUSING, ENGLAND AND WALES

**The Housing (Right to Buy) (Priority
of Charges) (No. 2) Order 1988**

Made - - - - 5th October 1988

Coming into force - - 27th October 1988

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 156(4) of the Housing Act 1985(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) (No. 2) Order 1988 and shall come into force on 27th October 1988.

Amendment of 1985 Order

2. The Housing (Right to Buy) (Priority of Charges) Order 1985(2) is hereby amended by the substitution for the third item in the list set out in the Schedule thereto, of the following:

“**3.** London and Manchester (Mortgages) (No. 1) Limited.”.

Approved Lending Institutions

3. The following bodies are hereby specified as approved lending institutions for the purposes of section 156 of the Housing Act 1985:

- (a) Abbey Life Mortgage Finance Limited,
- (b) Abbey Life Mortgage Loans Limited,
- (c) CIS Mortgage Maker Limited,
- (d) London and Manchester (Mortgages) (No. 2) Limited.

(1) 1985 c. 68.
(2) S.I. 1985/1979.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

19th September 1988

Nicholas Ridley
Secretary of State for the Environment

22nd September 1988

Peter Walker
Secretary of State for Wales

We consent,

5th October 1988

David Lightbown
Tony Durant
Two of the Lords Commissioners of Her
Majesty's Treasury

EXPLANATORY NOTE

(This note is not part of the Order)

Under the Housing Act 1985 (“the 1985 Act”) liability to repay discount following the exercise of the right to buy is secured by a charge on the dwelling-house. Such a charge does not have priority over certain charges securing advances by bodies which are approved lending institutions for the purposes of section 156 of that Act.

Such bodies are also approved lending institutions for the purposes of section 36(4) of the 1985 Act (priority of charges on voluntary disposal by a local authority) and paragraph 2(4) of Schedule 2 to the Housing Associations Act 1985 (c. 69) (priority of charges on voluntary disposal by a housing association) dealing with voluntary disposals at a discount by local authorities and housing associations respectively.

The Housing (Right to Buy) (Priority of Charges) Order 1985 contained a list of three bodies to which approval was given for the purposes of section 8(5) of the Housing Act 1980 (c. 51), (now section 156 of the 1985 Act). The 1985 Order was retained in force by section 2 of the Housing (Consequential Provisions) Act 1985 (c. 71). The name of the third body in the 1985 Order was subsequently changed and article 2 of this Order substitutes the new name.

Article 3 of this Order specifies four additional bodies as approved lending institutions.