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STATUTORY INSTRUMENTS

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**1996 No. 2325**

**The Housing Act 1996 (Consequential Provisions) Order 1996**

**Citation and commencement**

- 1.—(1) This Order may be cited as the Housing Act 1996 (Consequential Provisions) Order 1996.
- (2) This Order comes into force on 1st October 1996.

**Interpretation**

2. In this Order—
  - “subordinate legislation” has the meaning given in the Interpretation Act 1978(1);
  - “the 1985 Act” means the Housing Associations Act 1985(2); and
  - “the 1996 Act” means the Housing Act 1996.

**Continuity of the law**

3.—(1) A reference (express or implied) in Part I of the 1996 Act or any other enactment, instrument or document to any provision of that Part shall, so far as the context permits, be construed as including, in relation to times, circumstances and purposes before the commencement of that provision, a reference to the corresponding provision of the 1985 Act or any corresponding earlier enactment.

(2) Without prejudice to the generality of paragraph (1), a reference (express or implied) in Part I of the 1996 Act or any other enactment, instrument or document to registration as a social landlord shall, so far as the context permits, be construed as including, in relation to times, circumstances and purposes before the commencement of section 1 of the 1996 Act, a reference to registration under Part I of the 1985 Act or any corresponding earlier enactment.

(3) Anything done (including subordinate legislation made), or having effect as done, under a provision of the 1985 Act repealed and re-enacted, with or without modifications, by or under Part I of the 1996 Act has effect as if done under the corresponding provision made by or under Part I of the 1996 Act.

(4) A reference (express or implied) in an enactment, instrument or other document to a provision of the 1985 Act repealed and re-enacted, with or without modifications, by or under Part I of the 1996 Act shall be construed, so far as is required for continuing its effect and subject to any express amendment by or under that Part, as being, or as the case may require including, a reference to the corresponding provision made by or under that Part.

(5) Without prejudice to the generality of paragraph (4), a reference (express or implied) in an enactment, instrument or other document to registration as a housing association shall, so far as the context permits, other than in relation to times, circumstances and purposes before the commencement of section 1 of the 1996 Act, be construed as being, or as the case may require including, a reference to registration as a social landlord.

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(1) 1978 c. 30.  
(2) 1985 c. 69.

(6) This article is subject to any transitional provisions or savings made by or under the 1996 Act.

### **Repeals**

4.—(1) Subject to paragraphs (2) to (4), the enactments specified in Schedule 1 are repealed to the extent specified.

(2) The repeal by this Order of an enactment which amends an enactment which is repealed by or under the 1996 Act subject to savings does not affect the operation of those savings.

(3) The repeal of definitions or references to definitions in the 1985 Act does not affect their continued application in relation to enactments repealed subject to savings (whether previously or by or under Part I of the 1996 Act).

(4) The repeal of the definition of “housing activities” in the 1985 Act does not affect its continued application in relation to sections 50 to 55 of the Housing Act 1988(3).

### **Consequential amendments**

5.—(1) Subject to paragraph (2), the enactments specified in Schedule 2 have effect with the amendments specified.

(2) The amendment in paragraph 18(8)(b) of Schedule 2 does not apply in relation to periods ending on or before 30th September 1996.

### **Extent**

6.—(1) The provisions of this Order, other than Parts II and III of Schedule 1 and paragraphs 15(3) to (9), (11) to (18), (24)(a) and (35) and 18(9)(a) of Schedule 2, extend to England and Wales.

(2) The following provisions of this Order extend to Scotland—

articles 1 to 6,

Part II of Schedule 1, and

paragraphs 2, 4, 10, 12, 15(1) to (19), (21), (24), (35) and (36), 18(1) and (9)(a) and 20 of Schedule 2.

(3) The following provisions of this Order extend to Northern Ireland—

articles 1 to 6,

Part III of Schedule 1, and

paragraphs 2, 12 and 20 of Schedule 2.

Signed by authority of the Secretary of State

9th September 1996

*Paul Beresford*  
Parliamentary Under Secretary of State,  
Department of the Environment