

STATUTORY INSTRUMENTS

**2008 No. 2839**

**The Transfer of Housing Corporation Functions  
(Modifications and Transitional Provisions) Order 2008**

**Transfer of Housing Corporation functions to the Homes and Communities Agency and the Regulator of Social Housing**

2. The functions of the Housing Corporation under the enactments listed in the Table are transferred to the Homes and Communities Agency or the Regulator of Social Housing to the extent specified.

| <i>Enactment</i>                 | <i>Functions of the Housing Corporation transferred to the Homes and Communities Agency</i>                                 | <i>Functions of the Housing Corporation transferred to the Regulator of Social Housing</i>  | <i>Functions of the Housing Corporation transferred to the Homes and Communities Agency and the Regulator of Social Housing concurrently</i> |
|----------------------------------|---|---|--|
| Housing Act 1985(1)              | The functions under sections 151B and 156   | All functions other than those transferred to the Homes and Communities Agency  |  |
| Housing Associations Act 1985(2) | The functions under sections 79, 80, 81 and 83 (other than those functions transferred to the Regulator of Social Housing). | The functions under sections 9, 10, 33A, 69, 75 (except for subsection (1)(c) and (e) and subsection (4)), 77, 79 (but only in relation to loans to registered social |  |

- (1) 1985 c.68; amended by section 140 of, and Schedule 16 to the Government of Wales Act 1998 (c.38) Section 151B was inserted by section 118 of the Leasehold Reform, Housing and Urban Development Act 1993 (c.28) and S.I.2001/3649. Further amendments have been made to the Act not relevant to this Order.
- (2) 1985 c.69; amended by section 140 of, and Schedule 16 to, and section 152 of and Part 6 of Schedule 18 to the Government of Wales Act 1998 (c.38) and by section 59 of, and Schedule 6 to the Housing Act 1988 (c.50). Section 9 was amended by section 227 of, and Part 1 of Schedule 19 to the Housing Act 1996 (c.52) and S.I. 1996/2325. Section 10 was amended by section 98 of, and paragraph 21 of Schedule 6 to the Charities Act 1993 (c.10), section 75 of, and paragraph 78 of Schedule 8 to the Charities Act 2006 (c.50) and S.I. 1996/2325. Section 75 was amended by section 140 of, and Schedule 18 to the Housing Act 1988, section 55 of, and paragraph 5 of Schedule 3 to the Housing Act 1996, S.I. 1996/2325, section 22 of the Local Government Act 1999 (c.27), section 66 of, and paragraph 5 of Schedule 2 to and section 72 of, and Schedule 4 to the Public Audit (Wales) Act 2004 (c.23) and section 146 of, and paragraph 1 of Schedule 9 to, and section 241 of, and Schedule 18 to the Local Government and Public Involvement in Health Act 2007 (c. 28). Section 77 was amended by S.I. 1996/2325. Section 84 was amended S.I. 2000/311 and S.I. 2001/3649. Section 87 was substituted in relation to England and Wales by section 183 of the Local Government and Housing Act 1989 (c.42) and amended by section 55 of, and paragraph 7 of Schedule 3 to the Housing Act 1996, S.I. 1996/2325 and by section 218 of, and paragraph 1 of Schedule 11 to and section 266 of, and Schedule 16 to the Housing Act 2004 (c.34). Further amendments have been made to the Act not relevant to this Order.

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

| <i>Enactment</i>    | <i>Functions of the Housing Corporation transferred to the Homes and Communities Agency</i> | <i>Functions of the Housing Corporation transferred to the Regulator of Social Housing</i>   | <i>Functions of the Housing Corporation transferred to the Homes and Communities Agency and the Regulator of Social Housing concurrently</i> |
|---------------------|---|--|--|
|                     |   | landlords), 82, 83 (but only in relation to the guarantee of loans to registered social landlords), 87 and Schedule 7.   |  |
| Housing Act 1988(3) | The functions under sections 50 to 53.  | The functions under section 82.  |  |
| Housing Act 1996(4) | The functions under sections 16, 16A, 18, 20, 21, 27, 27A and 27B.                          | All functions under the Act other than those transferred to the Homes and Communities Agency or the Homes and Communities Agency and the Regulator of Social Housing concurrently. | The functions under sections 53 and 54.  |

- (3) 1988 c.50; amended by section 140 of, and Schedule 16 to, and section 152 of and Part 6 of Schedule 18 to the Government of Wales Act 1998 (c.38). Section 50 is restricted and modified by section 28 of the Housing Act 1996 (c.52). It was amended by S.I.1996/2325 and section 218 of and paragraph 3 of Schedule 11 to, and section 266 of and Schedule 16 to the Housing Act 2004 (c.34). Section 51 is restricted by section 28 of the Housing Act 1996 and amended by S.I. 1996/2325. Section 52 was amended by section 28 of the Housing Act 1996, S.I. 1996/2325 and by section 218 of, and paragraph 4 of Schedule 11 to, and section 266 of, and Schedule 16 to the Housing Act 2004. Section 82 was amended by S.I. 1996/2325, S.I. 1997/97, section 24 of, and paragraphs 42 and 43 of Schedule 4 to the Access to Justice Act 1999 (c.22) and section 81 of, and paragraph 42 of Schedule 8 to the Civil Partnership Act 2004 (c. 33). Further amendments have been made to the Act not relevant to this Order.
- (4) 1996 c.52; amended by section 140 of, and Schedule 16 to, and section 152 of, and Part 6 of Schedule 18 to the Government of Wales Act 1998 (c.38). Section 16 was amended by S.I. 2001/3257, section 406 of, and paragraph 136 of Schedule 17 to the Communications Act 2003 (c.21) and section 202 of the Housing Act 2004 (c.34). Section 16A was inserted by section 221 of the Housing Act 2004. Section 18 was amended by section 218 of, and paragraph 8 of Schedule 11 to the Housing Act 2004. Sections 20 and 21 were amended by paragraph 9 of Schedule 11 to the Housing Act 2004. Section 27A and 27B were inserted by section 220 of the Housing Act 2004. Section 28 was amended by section 218 of, and paragraph 11 of Schedule 11 to the Housing Act 2004. Section 54 was amended by section 265 of, and paragraph 42 of Schedule 15 to the Housing Act 2004.