

LORDS AMENDMENTS TO THE
HOUSING AND REGENERATION BILL

[The page and line references are to HL Bill 47, the bill as first printed for the Lords.]

Clause 2

- 1 Page 2, line 1, after “development” insert “and good design”
- 2 Page 2, line 4, at end insert –
““good design” includes design which has due regard to the needs of elderly persons and disabled persons,”
- 3 Page 2, line 30, leave out “section” and insert “sections 22(4A) (financial assistance), (*Local Government involvement*) (local government involvement) and”

Clause 9

- 4 Page 4, line 21, leave out from ““common”” to end of line 24 and insert “has the meaning given by section 19(4) of the Acquisition of Land Act 1981 (c. 67),”

Clause 13

- 5 Page 5, line 13, leave out from beginning to “it” in line 14
- 6 Page 5, line 16, leave out “for all permitted purposes or”
- 7 Page 5, line 17, leave out “all kinds of development or”
- 8 Page 5, line 18, at end insert –
“() In deciding whether it is appropriate for the HCA to be the local planning authority as mentioned in subsection (1)(b), the Secretary of State must, in particular, be satisfied that making the designation order is likely to improve the effectiveness with which the functions of the local planning authority for the area or part are discharged.”
- 9 Page 5, line 19, leave out subsections (3) and (4)
- 10 Page 5, line 32, leave out “, consult” and insert “–
(a) publish–

- (i) a draft of the order, and
 - (ii) the Secretary of State's reasons for making the order, and
- (b) consult the persons mentioned in subsection (5A).

(5A) The persons are”

11 Page 5, line 34, leave out “and”

12 Page 5, line 36, at end insert –

“(c) such persons which appear to the Secretary of State to represent the interests of local authorities as the Secretary of State considers appropriate, and

(d) persons who reside or carry on business in the proposed designated area.”

13 Page 6, line 14, at end insert “and”

14 Page 6, line 15, leave out from “2004,” to end of line 16

Clause 14

15 Page 6, line 25, leave out from “order” to “may” in line 26

16 Page 6, line 29, leave out “for all permitted purposes or”

17 Page 6, line 30, leave out “all kinds of development or”

18 Page 6, line 36, leave out “all relevant functions, or”

19 Page 7, line 6, leave out paragraph (c)

20 Page 7, line 25, leave out subsection (8)

After Clause 14

21 Insert the following new Clause –

“HCA as local planning authority: local involvement

- (1) Subsections (2) to (6) apply where a designation order provides for the HCA to be the local planning authority for the whole or any part of the designated area.
- (2) The HCA must prepare and publish a statement of local involvement.
- (3) The statement of local involvement is a statement of the HCA's policy as to the extent to which it intends to involve persons mentioned in subsection (4) in relation to the exercise by the HCA of functions conferred on it by virtue of the designation order.
- (4) The persons are –
 - (a) every local authority for the designated area or any part of the area in relation to which a function is to be exercised, and
 - (b) persons appearing to the HCA to have special knowledge or experience of matters relevant to functions to be exercised in relation to the area or part.
- (5) The HCA must –
 - (a) keep the statement under review, and

- (b) publish any revision of it.
- (6) In deciding its policy about the extent of involvement of persons mentioned in subsection (4), the HCA must, in particular, have regard to—
 - (a) the benefits that it might receive from their knowledge and experience, and
 - (b) the nature of the functions concerned.
- (7) Subsection (8) applies where—
 - (a) the HCA establishes a committee for the purpose of exercising functions conferred on the HCA by virtue of a designation order,
 - (b) such a committee establishes a sub-committee for such a purpose, or
 - (c) a new or replacement member is to be appointed to such a committee or sub-committee.
- (8) The HCA must—
 - (a) inform every local authority for the designated area or any part of the area in relation to which the functions are to be, or are being, exercised of—
 - (i) the establishment of the committee or sub-committee concerned, or
 - (ii) (as the case may be) the proposed appointment, and
 - (b) invite the authority to suggest one or more candidates for membership of the committee or (as the case may be) sub-committee.
- (9) In this section “local authority” has the same meaning as in section 13.”

Clause 15

22 Leave out Clause 15

Clause 16

23 Leave out Clause 16

Clause 17

24 Leave out Clause 17

Clause 18

25 Page 9, line 20, leave out from “area” to end of line 26 and insert “or part of an area in the RPB’s region if it is the local planning authority for that area or part, or for an area which includes that area or part, by virtue of an order of the kind mentioned in section 14(2) of the Housing and Regeneration Act 2008 (designation orders).

- (4B) In subsections (4) and (4A) “local planning authority” has the same meaning as in Part 1 of the Housing and Regeneration Act 2008 (see section 13(6) of that Act).”

Clause 21

26 Leave out Clause 21

Clause 22

27 Page 12, line 16, at end insert—

- “(4A) The objects of the HCA are not to be read as preventing the HCA from exercising functions in relation to financial assistance (whether under this section or otherwise) which—
- (a) are transferred to the HCA from the Housing Corporation by virtue of this Act, or
 - (b) would supersede functions of the Housing Corporation, in ways corresponding to those in which the Housing Corporation could have exercised its functions.”

Clause 24

28 Page 12, line 30, leave out subsection (2) and insert—

- “() Loans under subsection (1) may be made on such terms and conditions as the Secretary of State considers appropriate (including provision for repayment with or without interest).”

Clause 26

29 Page 13, line 31, after “23” insert “, and

- (ii) sums borrowed by subsidiaries of the HCA (other than from the HCA)”

30 Page 13, line 32, at end insert—

- “(5) In this Part “subsidiary” has the meaning given by section 1159 of the Companies Act 2006 (c. 46).”

Clause 28

31 Page 14, line 2, after “HCA” insert “or any subsidiary of the HCA”

Clause 33

32 Page 15, line 11, leave out from “may” to end of line 25 and insert “provide such services for communities as it considers appropriate or facilitate the provision of such services”

Clause 34

33 Page 16, line 13, at end insert—

- “(8A) Subsection (8B) applies if the HCA is proposing to give financial assistance on condition that the recipient provides low cost home ownership accommodation.

(8B) The HCA must consult the Regulator of Social Housing about the proposals.”

34 Page 16, line 15, after “accommodation” insert “or low cost home ownership accommodation”

35 Page 16, line 16, after “accommodation” insert “or (as the case may be) low cost home ownership accommodation”

- 36 Page 16, line 21, at end insert –
““low cost home ownership accommodation” has the meaning given
by section 71.”

Clause 35

- 37 Page 16, line 40, after “purposes” insert “of the recipient”
- 38 Page 17, line 4, leave out “to the person” and insert “in respect of that grant”
- 39 Page 17, line 5, leave out “interest” and insert “amounts”
- 40 Page 17, line 6, leave out “is” and insert “are”
- 41 Page 17, line 16, at end insert –
- “() The HCA must notify the Regulator of Social Housing at least 14 days before exercising, in relation to a registered provider of social housing, any of the powers conferred by subsections (2) to (4).
 - () Events determined by the HCA under subsection (1), and principles determined by the HCA under subsection (8), must be determined on or before the time the HCA gives the social housing assistance concerned unless they are determined subsequently with the agreement of the recipient of the assistance.”

Clause 36

- 42 Page 17, line 28, leave out “of an amount with interest” and insert “, in addition to the specified amount, of one or more of the following –
- (a) interest on the specified amount,
 - (b) an amount calculated by reference to any increase in the market value of any housing or other land acquired, constructed, converted, improved or repaired as a result of the grant, and
 - (c) interest on the amount falling within paragraph (b).”
- 43 Page 17, line 29, leave out “such direction” and insert “direction falling within subsection (1)(a) or (c)”
- 44 Page 17, line 43, at end insert –
- “(4A) Any direction falling within subsection (1)(b) must specify –
- (a) the housing or other land concerned, and
 - (b) the method of calculating the amount concerned.”

- 45 Page 18, line 7, after “(c)” insert “or (4A)”

- 46 Page 18, line 12, at end insert –
- “() Principles determined by the HCA under subsection (7)(a), and determinations by the HCA under subsection (7)(b), must be determined on or before the time the HCA gives the social housing assistance concerned unless they are determined subsequently with the agreement of the recipient of the assistance.”

Clause 37

- 47 Page 18, line 34, at end insert “(subject to any provision as to the time by which such a determination must be made)”

Clause 44

48 Page 21, line 5, leave out from second “HCA” to end of line 13 and insert “engages, without the consent of the Secretary of State, in an activity which the HCA would not be required or permitted to carry on.”

49 Page 21, line 19, leave out subsection (5)

Clause 46

50 Page 22, line 4, leave out subsections (3) and (4)

After Clause 46

51 Insert the following new Clause –

“Local government involvement

- (1) The HCA must from time to time consult such representatives of local government as the HCA considers appropriate about how the HCA pursues its objects.
- (2) The HCA must from time to time publish a statement about how it proposes to comply with subsection (1).
- (3) Before publishing a statement the HCA must consult such persons as it considers appropriate.”

Clause 53

52 Page 24, line 5, after “Towns,” insert –

“() a regional development agency (within the meaning of the Regional Development Agencies Act 1998 (c. 45)),”

Clause 55

53 Page 25, line 16, at end insert –

- “(2) In paragraph 1(1) of Schedule 17 to the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28) (constitution of the Urban Regeneration Agency: number of members), for “six” substitute “two”.
- (3) This section is without prejudice to the power of the Secretary of State under section 320(1).”

Clause 56

54 Page 25, line 23, at end insert –

“(2A) A transaction between a person and a subsidiary of the HCA is not invalid merely because of a failure by the HCA to comply with section 44(1) or (4).”

55 Page 25, line 24, after “HCA” insert “or a subsidiary of the HCA”

56 Page 25, line 26, after “(1)” insert “or (2A)”

Clause 59

- 57 Page 27, leave out line 36
- 58 Page 28, leave out lines 1 and 2
- 59 Page 28, line 5, at end insert—
- “(2) References in this Part to powers of the HCA do not include references to powers contained in duties imposed on the HCA.”

Clause 60

- 60 Page 28, leave out line 28
- 61 Page 29, line 3, column 2, after “2” insert “, 22(4A)”
- 62 Page 29, line 7, at end insert—

“Powers of the HCA	Section 59(2)”
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- 63 Page 29, leave out line 8
- 64 Page 29, line 14, at end insert—

“Subsidiary	Section 26(5)”
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After Clause 68

- 65 Insert the following new Clause—

“Transitional arrangements

- (1) The Secretary of State may by order transfer functions of the Housing Corporation to—
 - (a) the regulator,
 - (b) the HCA, or
 - (c) the regulator and the HCA jointly or concurrently.
- (2) An order under subsection (1) may make provision in relation to English registered social landlords which is similar to any provision made by this Part in relation to registered providers.
- (3) “English registered social landlord” means a body—
 - (a) which is registered as a social landlord under Part 1 of the Housing Act 1996, and
 - (b) which does not fall within paragraph (a) to (c) of section 56(2) of that Act (Welsh bodies).
- (4) The Secretary of State may by order make further provision in respect of a function transferred under this section (which may, in particular, include provision for the function to cease to be exercisable).

- (5) Provision made under this section, including provision made by virtue of 318(1)(d), may modify an enactment.
- (6) Provision under section 320(1) in connection with the coming into force of a provision of this Act may, in particular, include transitional provision having regard to the effect of provision made under this section.”

Clause 80

66 Page 37, line 38, after “England,” insert –

“(ca) a community land trust which owns land in England,”

67 Page 38, line 4, at end insert –

- “(2) In subsection (1)(ca) “community land trust” means a body corporate which satisfies the conditions below.
- (3) In those conditions “local community” means the individuals who live or work, or want to live or work, in a specified area.
- (4) Condition 1 is that the body is established for the express purpose of furthering the social, economic and environmental interests of a local community by acquiring and managing land and other assets in order –
 - (a) to provide a benefit to the local community, and
 - (b) to ensure that the assets are not sold or developed except in a manner which the trust’s members think benefits the local community.
- (5) Condition 2 is that the body is established under arrangements which are expressly designed to ensure that –
 - (a) any profits from its activities will be used to benefit the local community (otherwise than by being paid directly to members),
 - (b) individuals who live or work in the specified area have the opportunity to become members of the trust (whether or not others can also become members), and
 - (c) the members of the trust control it.”

Clause 87

68 Leave out Clause 87

Clause 94

69 Page 42, line 11, leave out “and”

70 Page 42, line 13, at end insert “, and

- (c) contain a general description of complaints made to the regulator in that year about the performance of registered providers and of how those complaints have been dealt with.”

After Clause 99

71 Insert the following new Clause –

“Tenant involvement

- (1) The regulator shall –

- (a) promote awareness of the regulator’s functions among tenants of social housing,
 - (b) where the regulator thinks it appropriate, consult them about the exercise of its functions (for example, by holding meetings), and
 - (c) where the regulator thinks it appropriate, involve them in the exercise of its functions (for example, by appointing them to committees or sub-committees).
- (2) The regulator shall from time to time publish a statement about how it proposes to comply with subsection (1).
- (3) Before publishing a statement the regulator must consult such persons as it thinks appropriate.”

Clause 110

- 72 Page 47, line 2, after “regulator” insert “if the authority thinks that the disclosure is necessary”
- 73 Page 47, line 4, after “authority” insert “if the regulator thinks that the disclosure is necessary”

Clause 114

- 74 Page 48, line 13, leave out from “authority” to end of line 14

After Clause 114

- 75 Insert the following new Clause –

“Registration of local authorities

- (1) The Secretary of State may by order –
- (a) repeal section 114, or
 - (b) amend it so as to permit the registration of specified classes of local authority.
- (2) The Secretary of State may by order require the regulator to register –
- (a) a specified local authority, or
 - (b) a specified class of local authority.
- (3) Registration under subsection (2) –
- (a) takes effect in accordance with any provision of the order about timing or other procedural or incidental matters,
 - (b) does not require an application for registration, and
 - (c) may apply to a local authority whether or not it is eligible for registration by virtue of subsection (1).
- (4) If the Secretary of State thinks it necessary or desirable in connection with the registration of local authorities, the Secretary of State may by order –
- (a) provide for a provision of this Part or any other enactment not to apply in relation to registered local authorities;
 - (b) provide for a provision of this Part or any other enactment to apply with specified modifications in relation to registered local authorities;
 - (c) amend a provision of this Part or any other enactment.

- (5) In this section –
- (a) “local authority” means an authority or person to whom section 114 applies or has applied, and
 - (b) “registered local authorities” means authorities or persons who are registered, registrable or to be registered as a result of an order under subsection (1) or (2) above.
- (6) Before making an order under this section the Secretary of State shall consult –
- (a) any authority or person likely to be affected by it, and
 - (b) such other persons as the Secretary of State thinks fit.”

Clause 117

- 76 Page 50, line 5, at end insert –
 “(6A) Principles do not have effect until approved by the Secretary of State.”
- 77 Page 50, line 7, leave out paragraph (a)

Clause 121

- 78 Page 51, line 26, at end insert –
 “(3) The Secretary of State may by order provide for the First-tier Tribunal to have jurisdiction under this section instead of the High Court.”

Clause 124

- 79 Page 52, line 27, leave out subsection (1) and insert –
 “(1) In section 51 of, and Schedule 2 to, the Housing Act 1996 (c. 52) (schemes for investigation of complaints by housing ombudsmen) for “Relevant Authority”, wherever appearing, substitute “Regulator of Social Housing”.
 (1A) In section 51 of that Act –
 (a) for subsection (2)(a) substitute –
 “(a) a registered provider of social housing;”,
 (b) in subsection (2)(d) after “registered with” insert “the Regulator of Social Housing or”, and
 (c) at the end add –
 “(7) Section 52 shall apply to an order under subsection (4) (with any necessary modifications).”
 (1B) In paragraph 6(2) of Schedule 2 to that Act (grants) for “Housing Corporation”, in both places, substitute “Regulator of Social Housing”.”
- 80 Page 52, line 41, at end insert –
 “(3) At the end of Schedule 2 to that Act add –
 “*General provision about orders*
 12 Section 52 shall apply to an order of the Secretary of State under this Schedule (with any necessary modifications).””

Clause 144

81 Page 60, line 38, at end insert –

“But not the presenting of a petition by the regulator under section 165”	
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Clause 145

82 Page 61, line 39, at end insert “or by the regulator under section 165”

Clause 148

83 Page 63, line 17, leave out from “moratorium” to end of line 19 and insert “a disposal of the registered provider’s land requires the regulator’s prior consent.”

Clause 149

84 Page 64, line 1, leave out “to which” and insert “for which consent is required under –

(a) ”

85 Page 64, line 2, leave out “applies (disposals requiring Secretary of State’s consent)” and insert “, or

(b) section 173 of the Local Government and Housing Act 1989 (c. 42).”

After Clause 149

86 Insert the following new Clause –

“Disposals without consent

- (1) A purported disposal by a registered provider is void if –
 - (a) it requires the regulator’s consent under section 148, and
 - (b) the regulator has not given consent.
- (2) But subsection (1) does not apply to a disposal by a non-profit registered provider to one or more individuals (“the buyer”) if –
 - (a) the disposal is of a single dwelling, and
 - (b) the registered provider reasonably believes at the time of the disposal that the buyer intends to use the property as the buyer’s principal residence.”

Clause 166

87 Page 71, line 11, after “specified” insert “non-profit”

Clause 167

88 Page 71, line 26, after “a” insert “non-profit”

Clause 170

89 Page 72, line 8, at end insert –

“(1A) But a non-profit registered provider may dispose of the landlord’s interest under a secure tenancy only to another non-profit registered provider.”

Clause 171

90 Page 72, line 13, leave out subsections (1) and (2) and insert –

“(1) Disposal of a dwelling by a registered provider requires the regulator’s consent if the dwelling is social housing.”

91 Page 72, line 20, leave out “The exceptions are” and insert “Consent is not required under this section if the disposal falls within an exception”

Clause 172

92 Page 72, line 23, leave out “non-profit”

93 Page 72, line 33, leave out “to which” and insert “for which consent is required under –

(a) ”

94 Page 72, line 34, leave out “applies (disposals requiring consent)” and insert “, or

(b) section 173 of the Local Government and Housing Act 1989 (c. 42).”

Clause 174

95 Page 73, line 27, leave out from “provider” to “to” in line 29

After Clause 174

96 Insert the following new Clause –

“Notification where disposal consent not required

(1) If a non-profit registered provider disposes of land other than a dwelling which is social housing it shall notify the regulator as soon as is reasonably practicable.

(2) The regulator may give a direction dispensing with the notification requirement.

(3) Section 173(1) and (3) to (6) applies to a direction under this section as it applies to consent under section 171.”

Clause 175

97 Page 74, line 29, at end insert –

“() Where this section applies in relation to the proceeds of sale arising on a disposal, section 35 above, section 27 of the Housing Act 1996 (c. 52) and section 52 of the Housing Act 1988 (c. 50) do not apply.”

Clause 176

98 Page 74, line 32, at end insert –

“(1A) The regulator may give a direction only with the Secretary of State’s approval.”

Clause 181

- 99 Page 77, line 10, at end insert –
“and for this purpose “infrastructure” has the same meaning as in Part 1.”

Clause 184

- 100 Leave out Clause 184

After Clause 185

- 101 Insert the following new Clause –

“Change of use, etc.

- (1) Where the regulator’s consent is required for the disposal of a dwelling by a registered provider, sections 171 to 174 continue to apply in relation to a disposal of the land by the registered provider even if the land has ceased to be a dwelling.
- (2) Sections 171 to 174 also apply in relation to a disposal of land by a registered provider which would fall within Exception 2 or 3 of section 172 but for a change of use of the land by the registered provider.”

Clause 189

- 102 Page 80, line 26, at end insert –
“(ba) 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.””

Clause 190

- 103 Page 81, line 14, leave out paragraph (d) and insert –
“(d) requires the regulator to give guidance about complaints relating to registered providers and about the use of its powers under this Chapter and Chapter 7 (sections 212 and 213),”

Clause 194

- 104 Page 82, line 28, at end insert –
“() the Audit Commission for Local Authorities and the National Health Service in England,”

- 105 Page 82, line 28, at end insert –
“() one or more bodies appearing to it to represent the interests of local housing authorities,”

Clause 195

- 106 Page 83, line 9, at end insert –
“() the Audit Commission for Local Authorities and the National Health Service in England,”

- 107 Page 83, line 9, at end insert—
 “() one or more bodies appearing to the Secretary of State to represent the interests of local housing authorities,”

After Clause 198

- 108 Insert the following new Clause—

“Inspections

- (1) The regulator may arrange for a person to inspect—
 - (a) a registered provider’s performance of its functions in relation to the provision of social housing, or
 - (b) the financial or other affairs of a registered provider.
- (2) The person must not be a member of the regulator’s staff.
- (3) If the purpose (or main purpose) of an inspection is to assess a registered provider’s performance by reference to standards under section 191 the regulator—
 - (a) shall invite the Audit Commission to carry out the inspection, and
 - (b) may arrange for another person to carry out the inspection only if the Audit Commission declines.
- (4) The regulator may direct a person carrying out an inspection to discontinue it.
- (5) An inspection may be general or specific.
- (6) The regulator shall reimburse costs incurred by the Audit Commission in carrying out an inspection.
- (7) If the regulator arranges for a person other than the Audit Commission to carry out an inspection the arrangements may include provision about payments.
- (8) In this section and sections 199 and 200 “the Audit Commission” means the Audit Commission for Local Authorities and the National Health Service in England.”

Clause 199

- 109 Page 84, line 32, leave out subsections (1) and (2)
- 110 Page 84, line 39, leave out “an inspector” and insert “under section (*Inspections*) the person carrying out the inspection”
- 111 Page 85, line 1, at end insert—
 “(4A) The person who carried out the inspection may publish the report and related information (whether or not the regulator has done so).”
- 112 Page 85, line 2, leave out subsection (5)
- 113 Page 85, line 14, leave out “and”
- 114 Page 85, line 16, at end insert “, and
 (c) the Audit Commission.”

Clause 200

- 115** Page 85, line 18, leave out “appointed under section 199”
- 116** Page 85, line 28, at end insert –
- “(4A) The reference to documents found on premises includes –
- (a) documents stored on computers or electronic storage devices on the premises, and
 - (b) documents stored elsewhere which can be accessed by computers on the premises.
- (4B) The power to inspect documents includes the power to inspect any computer or electronic storage device on which they have been created or stored.”
- 117** Page 85, line 30, at end insert –
- “(5A) For the purposes of subsections (4A) and (4B) an inspector may require any person having charge of a computer to provide such assistance as the inspector reasonably requests.”
- 118** Page 85, line 32, leave out “subsection (4) or (5)” and insert “subsections (4) to (5A)”
- 119** Page 85, line 37, at end insert –
- “(9) In this section “inspector” means –
- (a) a person authorised in writing by the Audit Commission to exercise the powers under this section for the purpose of an inspection carried out by the Audit Commission under section (*Inspections*), or
 - (b) a person authorised in writing by the regulator to exercise the powers under this section for the purpose of any other inspection under that section.”

Clause 203

- 120** Page 86, leave out line 20 and insert “An individual is eligible for appointment only if the individual is”
- 121** Page 86, line 24, leave out “or employees” and insert “, employees or consultants”
- 122** Page 86, line 26, at end insert –
- “(5) “Consultant” means an individual providing services to the regulator otherwise than by virtue of employment with the regulator or an appointment under this section.”

Clause 211

- 123** Page 88, line 33, leave out subsection (4)

Clause 212

- 124** Page 89, line 8, leave out “give registered providers guidance on” and insert “publish –
- (a) guidance about complaints to the regulator about the performance of registered providers, and
 - (b) guidance about”

- 125 Page 89, line 9, at end insert –
 “(1A) Guidance under subsection (1)(a) must, in particular, specify –
 (a) the procedure to be followed in making a complaint,
 (b) the criteria used by the regulator in deciding whether to investigate a complaint, and
 (c) periods within which the regulator aims to inform complainants of the result of complaints.”

- 126 Page 89, line 10, leave out “the guidance in exercising those powers” and insert “guidance under this section”

Clause 213

- 127 Page 89, line 12, after “guidance” insert “under section 212”
 128 Page 89, line 15, at end insert –
 “() one or more bodies appearing to it to represent the interests of local housing authorities,”
 129 Page 89, line 15, at end insert –
 “() the Audit Commission for Local Authorities and the National Health Service in England,”

Clause 219

- 130 Leave out Clause 219

Clause 220

- 131 Leave out Clause 220

Clause 229

- 132 Page 94, line 27, leave out “to 234” and insert “, 233(1), (3) and (6) and 234”
 133 Page 94, line 39, leave out “219,”

Clause 237

- 134 Page 96, line 28, leave out “or occupier”
 135 Page 96, line 30, leave out “or occupiers”
 136 Page 96, line 32, leave out “and occupiers”

Clause 241

- 137 Page 98, line 3, leave out “to 244” and insert “, 243(1) and (3) and 244”
 138 Page 98, line 19, leave out “219,”

Clause 247

- 139 Page 100, line 4, leave out subsection (2) and insert –

“(2) The notice must specify a period during which the registered provider may make representations to the regulator.

(2A) The period must –

(a) be a period of at least 28 days, and

(b) begin with the date on which the registered provider receives the notice.”

140 Page 100, line 17, leave out “219,”

Clause 248

141 Page 100, line 30, leave out paragraph (a)

142 Page 100, line 38, at end insert –

“(2A) A requirement to transfer management functions may be imposed only with the Secretary of State’s consent (both as to the transfer and the terms).”

Clause 249

143 Page 101, line 14, leave out subsection (2) and insert –

“(2) The notice must specify a period during which the registered provider may make representations to the regulator.

(2A) The period must –

(a) be a period of at least 28 days, and

(b) begin with the date on which the registered provider receives the notice.”

144 Page 101, line 27, leave out “219,”

Clause 251

145 Page 102, line 23, leave out subsection (2) and insert –

“(2) The notice must specify a period during which the registered provider may make representations to the regulator.

(2A) The period must –

(a) be a period of at least 28 days, and

(b) begin with the date on which the registered provider receives the notice.”

146 Page 102, line 36, leave out “219,”

Clause 252

147 Page 103, line 4, leave out paragraph (a)

148 Page 103, line 6, leave out “non-profit”

149 Page 103, line 8, leave out “non-profit”

150 Page 103, line 10, leave out “non-profit”

151 Page 103, line 13, leave out “non-profit”

152 Page 103, line 13, at end insert –

- “(2A) A requirement may be imposed on a profit-making registered provider only in relation to its social housing and associated land.
- (2B) For the purposes of subsection (2A) land is associated with social housing if the regulator thinks that it is used in connection with the social housing or its management.
- (2C) A requirement may not be imposed on a non-profit registered provider requiring it to transfer land to a profit-making registered provider.”

Clause 253

153 Page 103, line 22, leave out “non-profit”

154 Page 103, line 27, at end insert –

- “(5) Where land is transferred to the regulator under section 252(2)(a) –
- (a) the regulator may dispose of it only to a registered provider, and
- (b) if it is transferred by a non-profit registered provider, the regulator may dispose of it only to a non-profit registered provider.”

Clause 254

155 Page 103, line 31, leave out paragraph (a)

156 Page 103, line 42, at end insert –

- “(2A) The regulator may act under subsection (2) only with the Secretary of State’s consent.”

Clause 255

157 Page 104, line 22, leave out paragraph (a) and insert –

- “(a) that the affairs of the registered provider have been mismanaged,”

158 Page 104, line 27, leave out from “satisfied” to “have” in line 30 and insert “that the affairs of the registered provider”

Clause 256

159 Page 105, line 7, leave out paragraph (a)

Clause 258

160 Page 106, line 1, leave out paragraph (a) and insert –

- “(a) that the affairs of the registered provider have been mismanaged,”

161 Page 106, line 6, leave out from “satisfied” to “have” in line 9 and insert “that the affairs of the registered provider”

Clause 259

162 Page 106, line 23, leave out paragraph (a)

Clause 265

163 Page 108, line 16, leave out subsection (2)

Clause 268

164 Page 109, line 13, leave out subsection (2)

Clause 274

165 Page 112, line 21, at end insert –
 ““local housing authority” has the same meaning as in the Housing Act 1985 (c. 68),”

Clause 275

166 Page 113, line 28, at end insert –

“Local housing authority	Section 274”
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167 Page 114, leave out line 6

Clause 276

168 Page 114, leave out lines 31 to 33 and insert –
 “Schedule (*Amendment of enactments: Part 2*) (which contains amendments of enactments) has effect.”

Clause 293

169 Page 124, line 13, leave out from “When” to second “the” and insert “a notice has been served under sub-paragraph (3)”

170 Page 124, line 32, at end insert –
 “(3A) After paragraph 5 insert –

“Guidance

- 5A (1) The appropriate person must give guidance to local authorities about complying with the requirements of paragraph 3 as to consultation.
- (2) The appropriate person must publish guidance given under this paragraph as soon as reasonably practicable after giving it.
- (3) Local authorities must, in complying with the requirements of paragraph 3 as to consultation, have regard to the guidance for the time being in force under this paragraph.
- (4) The appropriate person may revoke guidance given under this paragraph.
- (5) References in this paragraph to giving guidance include references to giving guidance by varying existing guidance.
- (6) In this paragraph “the appropriate person” means –
- (a) in relation to England, the Secretary of State, and
 - (b) in relation to Wales, the Welsh Ministers.””

171 Page 124, line 33, leave out “and (3)” and insert “to (3A)”

Clause 295

172 Page 126, line 45, leave out from “landlord” to “; and” in line 46

Clause 296

173 Page 127, line 37, at end insert “new”

174 Page 127, line 39, at end insert “(unless otherwise required to do so)”

175 Page 128, line 9, at end insert –

- “() A statutory instrument containing (whether alone or with other provision) regulations under this paragraph which amend or repeal any of paragraphs (a) to (f) of sub-paragraph (5) may not be made –
- (a) by the Secretary of State unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament; and
 - (b) by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.”

176 Page 128, line 10, at beginning insert “Subject to this,”

177 Page 128, line 20, at end insert –

““behaviour support agreement” means an agreement in writing about behaviour and the provision of support services made between the new tenant and the local housing authority concerned (or between persons who include those persons);”

178 Page 128, line 21, after “means” insert “relevant”

179 Page 128, line 25, leave out “preventing” and insert “addressing”

180 Page 128, line 30, at end insert –

““relevant support services” means support services of a kind identified in a behaviour support agreement and designed to meet such needs of the recipient as are identified in the agreement”

181 Page 129, line 19, at end insert “new”

182 Page 129, line 21, at end insert “(unless otherwise required to do so)”

183 Page 129, line 37, at end insert –

- “() A statutory instrument containing (whether alone or with other provision) regulations under this paragraph which amend or repeal any of paragraphs (a) to (f) of sub-paragraph (5) may not be made –
- (a) by the Secretary of State unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament; and
 - (b) by the Welsh Ministers unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.”

184 Page 129, line 38, at beginning insert “Subject to this,”

185 Page 129, line 48, at end insert –

“behaviour support agreement” means an agreement in writing about behaviour and the provision of support services made between the new tenant, the landlord and the local housing authority for the district in which the dwelling-house which is to be subject to the new tenancy is situated (or between persons who include those persons);”

- 186 Page 130, line 1, after “means” insert “relevant”
- 187 Page 130, line 5, leave out “preventing” and insert “addressing”
- 188 Page 130, line 9, at end insert –
 “local housing authority” (and the reference to its district) has the same meaning as in the Housing Act 1985 (see sections 1 and 2(1) of that Act);”
- 189 Page 130, line 13, at end insert –
 “relevant support services” means support services of a kind identified in a behaviour support agreement and designed to meet such needs of the recipient as are identified in the agreement”

Clause 305

- 190 Page 136, line 2, at end insert –
 “() A review notice may not be served in relation to a determination which is subject to a re-determination required in pursuance of section 128(3) (but this does not prevent the service of a review notice in relation to the re-determination).”
- 191 Page 136, line 38, at end insert “of the value of the dwelling-house at the relevant time”
- 192 Page 137, line 9, at end insert –
 “() This section does not apply to a determination which is subject to a re-determination required in pursuance of section 128(3) (but this does not prevent this section applying to the re-determination).”
- 193 Page 137, line 14, after “re-determination” insert “of the value of the dwelling-house at the relevant time”
- 194 Page 137, line 22, leave out from “intention),” to end of line 27 and insert “in paragraph (b), for the words from “, the service” to the end substitute “(or where the landlord exercises his right to have the value of the dwelling-house re-determined by the district valuer), the relevant event”.
- () After section 125D(2) (period for serving tenant’s notice of intention) insert –
- “ (3) In subsection (2)(b) “the relevant event” means –
- (a) where a review notice was capable of being served under section 128A in relation to the determination or re-determination but no such notice was served during the period permitted by that section, the service of the notice under section 128(5) stating the effect of the determination or re-determination,
 - (b) where a review notice was served under section 128A in relation to the determination or re-determination and

section 128B(3) applied, the service on the tenant of the notice under section 128B(3), and

- (c) where a review notice was served under section 128A in relation to the determination or re-determination and section 128B(5) applied, the service of the notice under section 128B(7).”

195 Page 137, line 27, at end insert –

- “() In section 128(2) (power of tenant to require determination or re-determination of value) omit “, or as the case may be re-determined.”
- () In section 128(5) (notice of determination or re-determination) for the words from “stating” to the end substitute “stating –
- (a) the effect of the determination or re-determination,
- (b) the matters mentioned in section 125(2) and (3) (terms for exercise of right to buy), and
- (c) the effect of section 128A(2) (right of district valuer to serve review notice and of landlord and tenant to request that such a notice is served).”

196 Page 137, line 41, leave out from “tenant),” to end of line 45 and insert “in paragraph (b), for the words from “, the service” to the end substitute “(or where the right to have the value of the dwelling-house re-determined by the district valuer is or has been exercised by the landlord), the relevant event”.

- () After section 136(2) (period for serving notice of intention where there is a change of secure tenant) insert –
- “(2A) In subsection (2)(b) “the relevant event” means –
- (a) where a review notice was capable of being served under section 128A in relation to the determination or re-determination but no such notice was served during the period permitted by that section, the service of the notice under section 128(5) stating the effect of the determination or re-determination,
- (b) where a review notice was served under section 128A in relation to the determination or re-determination and section 128B(3) applied, the service on the new tenant or (as the case may be) the former tenant of the notice under section 128B(3), and
- (c) where a review notice was served under section 128A in relation to the determination or re-determination and section 128B(5) applied, the service of the notice under section 128B(7).”

197 Page 138, line 3, at end insert “, section 128B applies”

198 Page 138, line 8, at end insert –

- “(ab) no such review notice has been served but such a notice may still be served under section 128A,”

Clause 308

199 Page 141, line 17, leave out from “authority” to end of line 24 and insert “ –

- (a) does not include a registered provider of social housing, or a registered social landlord, which is a co-operative housing association;
- (b) includes a co-operative housing association which is neither a registered provider of social housing nor a registered social landlord;”

Before Clause 313

200 Insert the following new Clause –

“Ineligible persons from abroad: statutory disregards

Schedule (*Ineligible persons from abroad: statutory disregards*) (which amends Parts 6 and 7 of the Housing Act 1996 (c. 52) in relation to certain ineligible persons from abroad and which makes related provision, including provision for Scotland and Northern Ireland) has effect.”

Clause 318

- 201 Page 145, line 7, leave out paragraph (a)
- 202 Page 145, line 11, leave out “14(8)” and insert “13”
- 203 Page 145, line 11, after “14(8)” insert “, (*Registration of local authorities*)”
- 204 Page 145, line 11, at end insert “or 228”
- 205 Page 145, line 13, leave out “or 21(2) or (4)” and insert “, 21(2) or (4) or 23A”
- 206 Page 145, line 18, at end insert –
 - “() Subsection (3) does not apply to an instrument containing an order under section 319 if the order does not amend or repeal a provision of a public general Act.”
- 207 Page 145, line 18, at end insert –
 - “() If a draft of an instrument containing an order under section 13 would, apart from this subsection, be treated as a hybrid instrument for the purposes of the standing orders of either House of Parliament, it is to proceed in that House as if it were not a hybrid instrument.”
- 208 Page 145, line 23, leave out “13 or”
- 209 Page 145, line 23, at end insert “(excluding sections (*Registration of local authorities*) and 228),”
- 210 Page 145, line 23, at end insert –
 - “() an order of the Secretary of State under section 319 to which subsection (3) above does not apply,”
- 211 Page 145, line 26, after “Part 2” insert “(excluding sections 71 and 73)”
- 212 Page 145, line 35, leave out “or 21(2) or (4)” and insert “, 21(2) or (4) or 23A”
- 213 Page 145, line 39, at end insert –

“() Subsection (6) does not apply to an instrument containing an order under section 319 if the order does not amend or repeal a provision of a public general Act.”

214 Page 145, line 40, at end insert—

“() an order of the Welsh Ministers under section 319 to which subsection (6) above does not apply,”

Clause 319

215 Page 146, line 2, after “repeals” insert “and revocations including repeals of spent enactments”

Clause 322

216 Page 146, line 35, leave out “this Act extends” and insert “Parts 1 to 3 (including Schedules 1 to (*Ineligible persons from abroad: statutory disregards*)) and Schedule 14 extend”

217 Page 146, line 36, leave out from “Act” to “has” in line 37 and insert “other than one falling within subsection (2A)”

218 Page 146, line 38, at end insert—

“(2A) The following fall within this subsection—

- (a) the repeal in section 5 of the Mobile Homes Act 1983 (c. 34),
- (b) the repeals of sections 50 and 51 of the Housing Act 1988 (c. 50), and
- (c) the amendments of sections 52 to 54 and 59 of that Act.”

219 Page 146, line 39, leave out subsection (3)

Clause 323

220 Page 147, line 8, after “125D(2)” insert “, 128(2)”

221 Page 147, line 14, leave out “, 295” and insert “to 297”

222 Page 147, line 15, after “repeals” insert “and revocations”

223 Page 147, line 24, leave out subsection (5)

Schedule 1

224 Page 149, line 39, at end insert “by way of grant.

(2) Such payments may be made on such terms and conditions as the Secretary of State considers appropriate.”

225 Page 151, line 9, at end insert—

“(2) Any such committee may delegate any function conferred on it to any sub-committee of the committee or to any staff of the HCA.

(3) See also section 45 (agency arrangements of the HCA with urban development corporations).”

Schedule 3

226 Page 164, line 27, leave out paragraph 27

Schedule 5

227 Page 182, line 30, at end insert –

“In section 72(1)(a) (application and exclusion of certain enactments: section 12 of the Finance Act 1895 (c. 16)) omit “or from the Commission”.”

Schedule 6

228 Page 184, line 18, leave out “the” and insert “a”

229 Page 184, line 19, at end insert “or transferred to another transferee”

230 Page 184, line 20, leave out “transferee” and insert “a transferee or between transferees”

Schedule 8

231 Page 188, line 36, at end insert –

“Land Compensation Act 1961 (c. 33)

In section 23(3) of the Land Compensation Act 1961 (compensation where planning decision made after acquisition: exclusions) for paragraph (d) and the word “or” before it substitute “or

(d) under Part 1 of the Housing and Regeneration Act 2008 (acquisition by the Homes and Communities Agency).”

Public Health Act 1961 (c. 64)

In Schedule 4 to the Public Health Act 1961 (attachment of street lighting equipment to certain buildings), in the first column of the Table, for the words from “Commission” to “1959” substitute “Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008”.”

232 Page 189, line 11, leave out “entry for” and insert “entries for the Commission for the New Towns and”

233 Page 189, line 12, leave out “Note relating to” and insert “Notes relating to the Commission for the New Towns and”

234 Page 189, line 12, at end insert –

“Leasehold Reform Act 1967 (c. 88)

The Leasehold Reform Act 1967 is amended as follows.

In section 28(5)(b) (retention or resumption of land required for public purposes) for “Commission for the New Towns” substitute “new towns residuary body”.

(1) Section 29 (reservation of future right to develop) is amended as follows.

(2) In subsection (6) –

(a) in paragraph (a) for “Commission for the New Towns” substitute “new towns residuary body”, and

(b) for “that Commission” substitute “that residuary body”.

- (3) In subsection (7) for “Commission for the New Towns” substitute “Welsh new towns residuary body”.

In section 30(7)(a) (reservation of right of pre-emption in new town or overspill area) for “Commission for the New Towns” substitute “new towns residuary body”.

In section 33 (Crown land) after subsection (2) insert—

“(2A) For the purposes of this Part of this Act, an interest belonging to the Welsh new towns residuary body in a tenancy of land is to be treated as if it were not an interest belonging to the Crown.”

In section 37(1) (interpretation of Part 1) after paragraph (b) insert—

“(ba) “new towns residuary body” means—

- (i) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
- (ii) in relation to Wales, means the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981 (and references to the “Welsh new towns residuary body” shall be construed accordingly);”.

- (1) Schedule 4 (re-acquisition for development) is amended as follows.
- (2) In the heading for Part 2 for “NEW TOWNS COMMISSION” substitute “WELSH NEW TOWNS RESIDUARY BODY”.
- (3) In paragraph 4—
- (a) for “Commission for the New Towns” substitute “Welsh new towns residuary body”,
 - (b) for “the Commission, the Commission” substitute “that body, the body”, and
 - (c) omit the words from “be authorised” to “Government to”.

In paragraph 2(2)(c) of Schedule 4A (exclusion of certain shared ownership leases) for “Commission for the New Towns” substitute “new towns residuary body”.

235 Page 189, line 12, at end insert—

“*National Loans Act 1968 (c. 13)*

In Schedule 1 to the National Loans Act 1968 (Government lending and advances) in the entry relating to the New Towns Act 1981 (c. 64)—

- (a) in column 1 omit “(5)(6)”, and
- (b) in column 2 omit “and the Commission for the New Towns”.

Local Government Act 1972 (c. 70)

The Local Government Act 1972 is amended as follows.

- (1) Section 100J (application of Part 5A of the Act to new authorities, Common Council, etc.) is amended as follows.
- (2) In subsection (1) after paragraph (f) insert –
 - “(g) the Homes and Communities Agency so far as it is exercising functions conferred on it in relation to a designated area by virtue of a designation order.”
- (3) After subsection (2) insert –
 - “(2A) In its application by virtue of subsection (1)(g) above in relation to the Homes and Communities Agency, a reference in this Part to the offices of the council (however expressed) –
 - (a) is to be treated as a reference to such premises located within the designated area as the Homes and Communities Agency considers appropriate, and
 - (b) in the application of section 100A(6)(a) above to a case where the meeting is to be held at premises other than those mentioned in paragraph (a) above, includes a reference to those other premises.”
- (4) After subsection (3) insert –
 - “(3ZA) In its application by virtue of subsection (1)(g) above in relation to the Homes and Communities Agency, section 100E above shall have effect as if –
 - (a) in subsection (2), paragraph (c) was omitted, and
 - (b) in subsection (3), for paragraphs (a) to (c) there were substituted –
 - “(a) a committee established under paragraph 6(1) of Schedule 1 to the Housing and Regeneration Act 2008 for the purpose of exercising functions conferred on the Homes and Communities Agency in relation to a designated area by virtue of a designation order; or
 - (b) a sub-committee of such a committee established under paragraph 6(2) of that Schedule to that Act for that purpose.”
 - (3ZB) In its application by virtue of subsection (1)(g) above in relation to the Homes and Communities Agency, section 100G(1) above shall have effect as if paragraph (a) was omitted.”
- (5) After subsection (4A) insert –
 - “(4B) In this section “designated area” and “designation order” have the same meanings as in Part 1 of the Housing and Regeneration Act 2008.”

In section 100K (interpretation and application of Part 5A) in the definition of “committee or sub-committee of a principal council” at the end insert “(and see section 100J(3ZA)(b) above)”.

Land Compensation Act 1973 (c. 26)

- (1) Section 39 of the Land Compensation Act 1973 (duty to rehouse residential occupiers) is amended as follows.
- (2) In subsection (4)(d) for “Commission for the New Towns” substitute “new towns residuary body”.
- (3) In subsection (8) –
 - (a) in paragraph (a) for “Commission for the New Towns” substitute “new towns residuary body”, and
 - (b) in paragraph (c) for “Commission for the New Towns, the Commission” substitute “new towns residuary body, that body”.
- (4) In subsection (9) –
 - (a) after “section” insert “ –
(a) ”, and
 - (b) at the end insert –
 - “(b) “new towns residuary body” means –
 - (i) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
 - (ii) in relation to Wales, the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981.””

236 Page 189, line 36, at end insert –

“Northern Ireland Assembly Disqualification Act 1975 (c. 25)

- (1) Part 2 of Schedule 1 to the Northern Ireland Assembly Disqualification Act 1975 (bodies of which all members are disqualified) is amended as follows.
- (2) Insert at the appropriate place –
“The Homes and Communities Agency.”
- (3) Omit the entry relating to the Urban Regeneration Agency.”

237 Page 190, line 3, at end insert –

“Rent (Agriculture) Act 1976 (c. 80)

- (1) Section 5 of the Rent (Agriculture) Act 1976 (no statutory tenancy where landlord’s interest belongs to certain bodies) is amended as follows.
- (2) In subsection (3)(c) for “Commission for the New Towns” substitute “English new towns residuary body”.
- (3) After subsection (3) insert –
“(3A) In subsection (3)(c) above “English new towns residuary body” means the Homes and Communities Agency so far as exercising

functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008.”

Rent Act 1977 (c. 42)

- (1) Section 14 of the Rent Act 1977 (landlord’s interest belonging to local authority, etc.) is amended as follows.
- (2) At the beginning insert “(1)”.
- (3) In paragraph (d) for “Commission for the New Towns” substitute “English new towns residuary body”.
- (4) At the end insert –
 - “(2) In subsection (1)(d) “English new towns residuary body” means the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008.”

Protection from Eviction Act 1977 (c. 43)

- (1) Section 3A of the Protection from Eviction Act 1977 (excluded tenancies and licences) is amended as follows.
- (2) In subsection (8)(c) for “Commission for the New Towns” substitute “new towns residuary body”.
- (3) After subsection (8) insert –
 - “(8A) In subsection (8)(c) above “new towns residuary body” means –
 - (a) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
 - (b) in relation to Wales, means the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981.”

Local Government, Planning and Land Act 1980 (c. 65)

The Local Government, Planning and Land Act 1980 is amended as follows.

In section 4(4) (power to direct bodies to publish information) omit paragraph (b).

In section 93 (public bodies to whom Part 10 applies) after subsection (1) insert –

- “(1A) Sections 95 to 96A also apply to the Homes and Communities Agency so far as it is exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008 (and

references to a body to which this Part of this Act applies in those sections are to be read accordingly.”

In section 99(4)(e) (directions to dispose of land: supplementary) omit “the Commission for the New Towns,”.

In section 165A(2) (transfer by order of property etc. of urban development corporations to the Secretary of State etc.)—

- (a) in paragraph (a) for the words from “177” to “Agency” substitute “45 of the Housing and Regeneration Act 2008 (agency arrangements with urban development corporations)”, and
- (b) in paragraph (b) for “subsection (2)” substitute “subsections (5) and (6)”.

In section 165B(2) (transfer by order of property etc. of urban development corporations to statutory bodies)—

- (a) in paragraph (a) for the words from “177” to “Agency” substitute “45 of the Housing and Regeneration Act 2008 (agency arrangements with urban development corporations)”, and
- (b) in paragraph (b) for “subsection (2)” substitute “subsections (5) and (6)”.

In Schedule 16 (bodies to whom Part 10 applies) omit paragraph 6.

Highways Act 1980 (c. 66)

- (1) Section 219 of the Highways Act 1980 (payments to be made by owners of new buildings in respect of street works) is amended as follows.
- (2) In subsection (4)(i)(iii), for “Commission for the New Towns” substitute “new towns residuary body”.
- (3) After subsection (4A) insert—
 - “(4B) In subsection (4)(i)(iii) “new towns residuary body” means—
 - (a) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
 - (b) in relation to Wales, the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981.”

Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66)

- (1) The Compulsory Purchase (Vesting Declarations) Act 1981 is amended as follows.
- (2) In section 15 (application of Act to orders under section 161(1) of the Leasehold Reform, Housing and Urban Development Act 1993) omit the words from “or under subsection (1)” to “similar provision”.
- (3) In Schedule 2 (modifications of Act in certain cases)—
 - (a) in paragraph 1 omit the words from “or under subsection (1)” to “contains similar provision”, and

- (b) in paragraph 3 for “the housing action trust or the Urban Regeneration Agency (as the case may be)” substitute “or the housing action trust (as the case may be)”.

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- (1) Paragraph 2 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 (street trading) is amended as follows.
- (2) In sub-paragraph (5)(b) for “Commission for the New Towns” substitute “new towns residuary body”.
- (3) After sub-paragraph (5) insert –
- “(5A) In sub-paragraph (5)(b) above “new towns residuary body” means –
- (a) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
- (b) in relation to Wales, the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981.”

Housing Act 1985 (c. 68)

In Schedule 5 to the Housing Act 1985 (exceptions to the right to buy) in paragraph 3, at the end insert “, or

section 22 of the Housing and Regeneration Act 2008 (financial assistance) which was a grant made on condition that the housing association provides social housing (and “provides social housing” has the same meaning as in Part 1 of that Act).”

Landlord and Tenant Act 1985 (c. 70)

In section 38 (minor definitions) of the Landlord and Tenant Act 1985, in the definition of “new town corporation”, for paragraph (b) (and the word “or” immediately before it) substitute –

“(b) the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008, or

(c) the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981;”.

Landlord and Tenant Act 1987 (c. 31)

The Landlord and Tenant Act 1987 is amended as follows.

In section 21(3)(a) (tenant’s right to apply to tribunal for appointment of manager) –

(a) after “by” insert “ –

- (i) ", and
- (b) after "resident landlord," insert "or
 - (ii) the Welsh Ministers in their new towns residuary capacity,".

In section 29(7)(a) (conditions for making acquisition orders) –

- (a) after "by" insert "–
 - (i) ", and
 - (b) after "resident landlord," insert "or
 - (ii) the Welsh Ministers in their new towns residuary capacity,".

In section 58(1) (exempt landlords and resident landlords) –

- (a) in paragraph (b) omit "the Commission for the New Towns or", and
- (b) after paragraph (de) insert –
 - "(df) the Homes and Communities Agency;".

In section 60 (general interpretation) after subsection (1) insert –

- "(1A) In this Act a reference to the Welsh Ministers in their new towns residuary capacity means the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981."

Income and Corporation Taxes Act 1988 (c. 1)

In section 376(4) of the Income and Corporation Taxes Act 1988 (qualifying borrowers and qualifying lenders) for paragraph (j) substitute –

- "(j) the Homes and Communities Agency;".

Local Government Act 1988 (c. 9)

In Schedule 2 to the Local Government Act 1988 (public supply or works contracts: public authorities) for "The Commission for the New Towns." substitute –

- "The Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008."

Housing Act 1988 (c. 50)

The Housing Act 1988 is amended as follows.

In the italic heading before section 50 omit "": functions of Relevant Authority".

Omit sections 50 (housing association grants) and 51 (revenue deficit grants).

- (1) Section 52 (recovery etc. of grants) is amended as follows.
- (2) For "Relevant Authority", wherever it appears, substitute "appropriate authority".

- (3) In subsections (1) and (5)(b) for “housing association which is a registered social landlord” substitute “relevant housing association”.
- (4) After subsection (9) insert –
- “(9A) In this section and sections 53 and 54 –
- “the appropriate authority” –
- (a) in relation to an English relevant housing association, means the Homes and Communities Agency, and
- (b) in relation to a Welsh relevant housing association, means the Welsh Ministers,
- “relevant housing association” means –
- (a) a housing association which is a registered provider of social housing (“an English relevant housing association”), and
- (b) a housing association which is a registered social landlord (“a Welsh relevant housing association”).
- (9B) In this section a reference to registration as a provider of social housing, so far as the context permits, is to be construed as including, in relation to times, circumstances and purposes before the commencement of section 112 of the Housing and Regeneration Act 2008, a reference to registration under –
- (a) Part 1 of the Housing Act 1996,
- (b) Part 1 of the 1985 Act, or
- (c) any corresponding earlier enactment.”
- (1) Section 53 (determinations under Part 2) is amended as follows.
- (2) In subsection (2) for “Housing Corporation” substitute “Homes and Communities Agency”.
- (3) In subsection (3) for “Relevant Authority”, in both places where it appears, substitute “appropriate authority”.
- (4) In subsection (4) for “any provision of sections 50 to” substitute “section”.

In section 54(2)(a) (tax relief grants) for “a registered social landlord” substitute “a relevant housing association”.

In section 59(1A) (interpretation of Part 2 etc.) for “50” substitute “52”.

Local Government and Housing Act 1989 (c. 42)

In section 172(8) of the Local Government and Housing Act 1989 (transfers of new town housing stock) in the definition of “new town corporation” omit “the Commission for the New Towns or”.

238 Page 190, line 15, at end insert –

“Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

In Schedule 4 to the Planning (Listed Buildings and Conservation Areas) Act 1990 (further provisions as to exercise of functions by different authorities), in paragraph 2, for “and housing action areas” substitute “,

housing action areas and areas for which the Homes and Communities Agency is the local planning authority”.

239 Page 190, line 17, leave out paragraph 7 and insert—

“In section 3 of the Planning (Hazardous Substances) Act 1990 (hazardous substances authorities: special cases) for subsection (5A) substitute—

“(5A) The power to make a designation order under section 13 of the Housing and Regeneration Act 2008 which contains provision of the kind mentioned in section 14(3) of that Act does not extend to providing for the Homes and Communities Agency to be the hazardous substances authority (whether instead of, or concurrently with, a county council) in relation to land to which subsection (1) above applies.

(5B) Subject to this, section 1 and this section are subject to any provision made by such an order.”

240 Page 190, line 19, at end insert—

“Water Industry Act 1991 (c. 56)

The Water Industry Act 1991 is amended as follows.

In section 41(2)(d)(i) (power to require the provision of a water main) for “Commission for the New Towns” substitute “new towns residuary body”.

In section 97(5) (performance of sewerage undertaker’s functions by local authorities etc.)—

- (a) in the definition of “relevant area” for paragraph (b) substitute—
 - “(b) in relation to the English new towns residuary body, means any new town in England;
 - (ba) in relation to the Welsh new towns residuary body, means any new town in Wales;”, and
- (b) in the definition of “relevant authority” in paragraph (b) for “Commission for the New Towns” substitute “new towns residuary body”.

In section 98 (power to require the provision of a public sewer etc.)—

- (a) in subsection (2)(d)(i) for “Commission for the New Towns” substitute “new towns residuary body”, and
- (b) in subsection (2A)(d)(i) for “Commission for the New Towns” substitute “new towns residuary body”.

In section 219(1) (general interpretation) after the definition of “navigation authority” insert—

““new towns residuary body” means—

- (a) in relation to a new town in England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) or (b) of the Housing and Regeneration Act 2008 (and references to the “English new towns residuary body” are to be read accordingly); and

- (b) in relation to a new town in Wales, the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) or (ii) of the New Towns Act 1981 (and references to the “Welsh new towns residuary body” are to be read accordingly);”.

Water Resources Act 1991 (c. 57)

- (1) Section 72 of the Water Resources Act 1991 (interpretation of Chapter 2 of Part 2) is amended as follows.
- (2) In subsection (2)(a)(iii) for “Commission for the New Towns” substitute “new towns residuary body”.
- (3) After subsection (2) insert –
 - “(2A) In subsection (2)(a)(iii) “new towns residuary body” means –
 - (a) in relation to England, the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008; and
 - (b) in relation to Wales, the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of the New Towns Act 1981.”

Social Security Administration Act 1992 (c. 5)

In section 191 (interpretation: general), in the definition of “new town corporation”, for paragraph (a) (but not the “and” following it) substitute –

- “(a) in relation to England –
 - (i) a development corporation established under the New Towns Act 1981; or
 - (ii) the Homes and Communities Agency so far as exercising functions in relation to anything transferred (or to be transferred) to it as mentioned in section 54(1)(a) to (d) of the Housing and Regeneration Act 2008;
- (ab) in relation to Wales –
 - (i) a development corporation established under the New Towns Act 1981; and
 - (ii) the Welsh Ministers so far as exercising functions in relation to anything transferred (or to be transferred) to them as mentioned in section 36(1)(a)(i) to (iii) of that Act;”.

Taxation of Chargeable Gains Act 1992 (c. 12)

In section 219(1) of the Taxation of Chargeable Gains Act 1992 (disposals by Housing Corporation etc.) –

- (a) in paragraph (a) before “disposes” insert “or the Homes and Communities Agency”,

- (b) in paragraph (d) at the end insert “or the Homes and Communities Agency”, and
- (c) in the words after paragraph (d) –
 - (i) before “, relevant housing” insert “, the Homes and Communities Agency”, and
 - (ii) before “or, as the case” insert “, the Homes and Communities Agency”.”

241 Page 190, line 27, at end insert –

Finance Act 1996 (c. 8)

- (1) Section 43A of the Finance Act 1996 (landfill tax in relation to contaminated land) is amended as follows.
- (2) In subsection (5) omit paragraph (e).
- (3) In subsection (6) omit the definition of “English Partnerships”.

Housing Act 1996 (c. 52)

- (1) Section 28 of the Housing Act 1996 (grants under sections 50 to 54 of the Housing Act 1988) is amended as follows.
- (2) Omit subsections (1), (2) and (6).
- (3) In the heading for “ss 50 to 54” substitute “Part 2”.

Regional Development Agencies Act 1998 (c. 45)

The Regional Development Agencies Act 1998 is amended as follows.

Omit section 36 (transfer of property etc. of Urban Regeneration Agency) and the italic heading before it.

Omit section 37 (powers in relation to the Urban Regeneration Agency).

In section 38(10) (corporation tax) –

- (a) in the definition of “qualifying transfer” omit paragraph (b), and
- (b) in the definition of “transfer scheme” for “any of sections 34 to 37” substitute “section 34 or 35”.

In section 39(4)(b) (stamp duty) for “any of sections 34 to 37 and” substitute “section 34 or 35 or”.

Omit Schedule 9 (the Urban Regeneration Agency: transfer schemes).”

242 Page 191, line 32, at end insert –

- “
- (1) Section 408 (transfers of property, rights or liabilities) is amended as follows.
 - (2) In subsection (3) omit paragraphs (h) and (i).
 - (3) Omit subsection (6).
- In section 409 (transfer schemes) omit subsection (5).”

243 Page 191, line 40, at end insert –

“Finance Act 2003 (c. 14)

The Finance Act 2003 is amended as follows.

In section 71(4) (certain acquisitions by registered social landlord exempt from charge to stamp duty land tax) after paragraph (c) insert –

“(ca) under section 22 of the Housing and Regeneration Act 2008 (financial assistance by the Homes and Communities Agency),”.

- (1) Schedule 9 (stamp duty land tax: right to buy, shared ownership leases etc.) is amended as follows.
- (2) In paragraph 1(3) –
 - (a) after “*and development corporations*” insert “*etc.*”, and
 - (b) for “Commission for the New Towns” substitute “Homes and Communities Agency.”
- (3) In paragraph 5(2) for paragraph (e) substitute –

“(e) the Homes and Communities Agency;”.

244 Page 192, line 8, at end insert –

“(5B) Where such an order makes such provision, the Homes and Communities Agency is the local planning authority for the area and the purposes concerned in place of any authority who would otherwise be the local planning authority for that area and those purposes.”

Finance Act 2004 (c. 12)

In section 59(1)(f) of the Finance Act 2004 (contractors) for “Commission for the New Towns” substitute “Homes and Communities Agency”.

Before Schedule 9

245 Insert the following new Schedule –

“AMENDMENT OF ENACTMENTS: PART 2

Public Records Act 1958 (c. 51)

- 1 In Part 2 of the Table at the end of paragraph 3 of Schedule 1 to the Public Records Act 1958 (bodies whose records are public records) insert at the appropriate place –

“Office for Tenants and Social Landlords.”

Parliamentary Commissioner Act 1967 (c. 13)

- 2 (1) Schedule 2 to the Parliamentary Commissioner Act 1967 (departments etc. subject to investigation) is amended as follows.
- (2) Insert at the appropriate place –

“Office for Tenants and Social Landlords”.
- (3) Omit the entry for the Housing Corporation.

House of Commons Disqualification Act 1975 (c. 24)

- 3 (1) Part 2 of Schedule 1 to the House of Commons Disqualification Act 1975 (bodies of which all members are disqualified) is amended as follows.
- (2) Insert at the appropriate place—
“Office for Tenants and Social Landlords.”
- (3) Omit the entry for the Housing Corporation.

Race Relations Act 1976 (c. 74)

- 4 In paragraph 52 of Part 1 of Schedule 1A to the Race Relations Act 1976 (bodies and other persons subject to general statutory duty) for “Housing Corporation” substitute “Office for Tenants and Social Landlords”.

Interpretation Act 1978 (c. 30)

- 5 In Schedule 1 to the Interpretation Act 1978 (defined expressions) at the appropriate place insert—
““Registered provider of social housing” has the meaning given by section 81(2) of the Housing and Regeneration Act 2008 (and “non-profit” and “profit-making” in connection with a provider have the meanings given by section 115 of that Act).”

Local Government, Planning and Land Act 1980 (c. 65)

- 6 In Schedule 16 to the Local Government, Planning and Land Act 1980 (bodies to whom Part X applies) for paragraph 9 substitute—
“9 The Regulator of Social Housing.”

Inheritance Tax Act 1984 (c. 51)

- 7 In section 24A(2) of the Inheritance Tax Act 1984 (gifts to housing associations) before paragraph (a) insert—
“(za) a non-profit registered provider of social housing;”.

Housing Associations Act 1985 (c. 69)

- 8 The Housing Associations Act 1985 is amended as follows.
- 9 (1) Section 9 (control by Corporation of disposals of land by housing associations) is amended as follows.
- (2) In subsection (1A)—
(a) for “the relevant Corporation”, in both places, substitute “the relevant regulator”, and
(b) for paragraphs (a) to (c) substitute—
“(a) if the land is in England, the Regulator of Social Housing, and
(b) if the land is in Wales, the Welsh Ministers.”
- (3) For subsection (6) substitute—

“(6) Consent under this section must be in writing.””

- (4) For the heading substitute “Control of disposals by unregistered housing associations”.
- 10 (1) Section 10 (dispositions excepted from section 9) is amended as follows.
- (2) In subsection (1) for paragraphs (a) to (c) substitute—
- “(a) in the case of dispositions of land in England, the Regulator of Social Housing, and
- (b) in the case of dispositions of land in Wales, the Welsh Ministers.”
- (3) Omit subsection (2)(e) and the “or” before it.

Income and Corporation Taxes Act 1988 (c. 1)

- 11 The Income and Corporation Taxes Act 1988 is amended as follows.
- 12 In section 376(4) (qualifying borrowers and qualifying lenders) for paragraph (k) substitute—
- “(k) the Regulator of Social Housing,”.
- 13 In section 488(7A) (co-operative housing associations)—
- (a) at the beginning insert “In relation to a housing association which is a registered provider of social housing”, and
- (b) for paragraph (a) substitute “to the Regulator of Social Housing”.
- 14 In section 489(5A) (self-build societies) for “Housing Corporation” substitute “Regulator of Social Housing”.
- 15 In section 506B(9) (transactions with substantial donors: exceptions)—
- (a) for “registered social landlord or housing association”, in both places it appears, substitute “relevant housing provider”, and
- (b) in paragraph (a) after “body” insert “which is a non-profit registered provider of social housing or which is”.

Taxation of Chargeable Gains Act 1992 (c. 12)

- 16 The Taxation of Chargeable Gains Act 1992 is amended as follows.
- 17 (1) Section 218 (disposals of land between the Housing Corporation, Secretary of State or Scottish Homes and housing associations) is amended as follows.
- (2) For “the Housing Corporation”, wherever appearing, substitute “the Regulator of Social Housing”.
- (3) For “the Corporation”, wherever appearing, substitute “the Regulator”.
- (4) In subsection (1)(a) after “Housing Associations Act 1985” insert “, or in accordance with a requirement imposed under section 252 of the Housing and Regeneration Act 2008,”.
- (5) In the heading to the section, and in the italic heading before it, for “Housing Corporation,” substitute “Regulator of Social Housing”.
- 18 (1) Section 219 (disposals by Housing Corporation, the Secretary of State, Scottish Homes and certain housing associations) is amended as follows.

- (2) In subsection (1) –
- (a) in paragraphs (a), (c) and (d) for “the Corporation” substitute “a housing regulator”,
 - (b) for “relevant housing association” and “association”, wherever appearing, substitute “relevant housing provider”,
 - (c) in paragraph (c) after “given under” insert “section 166 of the Housing and Regeneration Act 2008,”, and
 - (d) in the words after paragraph (d) for “the Corporation”, wherever appearing, substitute “the housing regulator”.
- (3) In subsection (2) –
- (a) for ““the Corporation” means the Housing Corporation” substitute ““housing regulator” means the Regulator of Social Housing”, and
 - (b) for the definition of “relevant housing association” substitute –
 - ““relevant housing provider” means –
 - (a) a non-profit registered provider of social housing,
 - (b) a registered social landlord within the meaning of Part 1 of the Housing Act 1996, or
 - (c) a body registered in the register maintained under section 57 of the Housing (Scotland) Act 2001.”
- (4) For the heading substitute “Disposals by housing related bodies”.
- 19 (1) Section 259 (gifts to housing associations) is amended as follows.
- (2) In subsection (1)(a) for “relevant housing association” substitute “relevant housing provider”.
 - (3) In subsections (1)(b) and (2) for “association”, wherever appearing, substitute “relevant housing provider”.
 - (4) For subsection (3) substitute –
 - “(3) In this section “relevant housing provider” means –
 - (a) a non-profit registered provider of social housing,
 - (b) a registered social landlord within the meaning of Part 1 of the Housing Act 1996,
 - (c) a body registered in the register maintained under section 57 of the Housing (Scotland) Act 2001, or
 - (d) a registered housing association within the meaning of Part 2 of the Housing (Northern Ireland) Order 1992.”

Audit Commission Act 1998 (c. 18)

20 The Audit Commission Act 1998 is amended as follows.

21 For section 40 substitute –

“40 Studies relating to registered providers of social housing

- (1) The Commission may promote or undertake studies designed to improve the economy, efficiency and effectiveness of registered providers of social housing.

- (2) The Commission may charge fees for promoting or undertaking studies under subsection (1) at the request of the Regulator of Social Housing.
 - (3) The Commission shall send the Regulator of Social Housing a report on any study under this section.
 - (4) The Commission may publish the report.”
- 22 Omit sections 41 to 41B (functions in relation to registered social landlords).
- 23 (1) Section 41C (advice and assistance for registered social landlords) is amended as follows.
- (2) In subsection (1) –
 - (a) for the first “registered social landlord” substitute “registered provider of social housing”, and
 - (b) for the second “registered social landlord” substitute “registered provider”.
 - (3) In the heading for “registered social landlords” substitute “registered providers of social housing”.
- 24 Omit section 43 (meaning of “registered social landlord”).
- 25 In section 49(2A) (disclosure of information) for the words from “such information” to “except where” substitute “such information in any circumstances unless”.
- 26 In Schedule 1 (the Audit Commission) omit –
 - (a) paragraph 8(2)(c) and (ca), and
 - (b) paragraph 8A.
- 27 In paragraph 3 of Schedule 2A (interaction with other authorities) omit –
 - (a) paragraph (a) of the definition of “Audit Commission inspection”, and
 - (b) paragraph (e) of the definition of “national studies functions”.

Freedom of Information Act 2000 (c. 36)

- 28 (1) Part 6 of Schedule 1 to the Freedom of Information Act 2000 (public authorities) is amended as follows.
- (2) Insert at the appropriate place –
“Office for Tenants and Social Landlords.”
 - (3) Omit the entry for the Housing Corporation.

Finance Act 2003 (c. 14)

- 29 The Finance Act 2003 is amended as follows.
- 30 (1) Section 71 (certain acquisitions by registered social landlord exempt from charge to stamp duty land tax) is amended as follows.
- (2) In subsections (1), (2) and (3) for “registered social landlord”, wherever appearing, substitute “relevant housing provider”.

- (3) After subsection (1) insert –
- “(1A) In this section “relevant housing provider” means –
- (a) a non-profit registered provider of social housing, or
 - (b) a registered social landlord.”
- 31 (1) Paragraph 2 of Schedule 3 (stamp duty land tax: transactions exempt from charge) is amended as follows.
- (2) In sub-paragraphs (1) and (2) for “registered social landlord” and “landlord”, wherever appearing, substitute “relevant housing provider”.
- (3) After sub-paragraph (2) insert –
- “(2A) A “relevant housing provider” means –
- (a) a non-profit registered provider of social housing, or
 - (b) a registered social landlord.”
- 32 (1) Schedule 9 (stamp duty land tax: right to buy, shared ownership leases etc.) is amended as follows.
- (2) In paragraph 1(3) –
- (a) for “The Housing Corporation” substitute “The Regulator of Social Housing”, and
 - (b) after “The Northern Ireland Housing Executive” insert –
“A non-profit registered provider of social housing”.
- (3) In paragraph 1(5) after “social landlord” insert “or registered provider of social housing”.
- (4) After paragraph 1(5) insert –
- “(6) A grant under section 22 of the Housing and Regeneration Act 2008 which –
- (a) is made by virtue of section 38 of that Act, or
 - (b) is otherwise made to a relevant provider of social housing (within the meaning of section 38 of that Act) in respect of discounts given by the provider on disposals of dwellings to tenants,
- does not count as part of the chargeable consideration for a right to buy transaction to which the vendor is a relevant provider of social housing.”

Finance Act 2004 (c. 12)

- 33 In section 59(1)(h) of the Finance Act 2004 (contractors) for “Housing Corporation” substitute “Regulator of Social Housing”.

Income Tax Act 2007 (c. 3)

- 34 In section 555 of the Income Tax Act 2007 (transactions with substantial donors: exceptions) –
- (a) in subsections (2) and (3) for “registered social landlord or housing association” substitute “relevant housing provider”, and
 - (b) in subsection (3) after “body” insert “which is a non-profit registered provider of social housing or which is”.

Schedule 10

- 246** Page 195, line 35, at end insert –
“(4) Omit subsections (5) and (5A).”
- 247** Page 196, line 39, at end insert –
“(4) Omit subsections (5) and (5A).”
- 248** Page 198, line 9, at end insert “for purposes other than the purposes of the Secretary of State or the Welsh Ministers making orders under Part 2 of this Schedule”
- 249** Page 200, line 26, at end insert –
“() are in force on that date,”
- 250** Page 202, line 12, at end insert –
“Successor landlords
23A (1) The appropriate national authority may by order provide for this Part of this Schedule to apply, subject to such modifications as may be specified in the order, to successor landlord cases.
(2) For the purposes of sub-paragraph (1) a successor landlord case is a case, in relation to an original tenancy, where the interest of the ex-landlord in the dwelling-house –
(a) has been transferred to another person after the end of the original tenancy and before the commencement date, and
(b) on the commencement date, belongs to the person to whom it has been transferred or a subsequent transferee.”
- 251** Page 202, line 19, after “to” insert “a dwelling-house in”
- 252** Page 202, line 20, after “to” insert “a dwelling-house in”
- 253** Page 202, line 25, at end insert “for purposes other than the purposes of the Secretary of State or the Welsh Ministers making orders under this Part of this Schedule”
- 254** Page 203, line 6, after second “tenancy” insert “or which is a demoted tenancy to which section 20B of the Act of 1988 applies”
- 255** Page 203, line 7, leave out “the Act of 1988” and insert “that Act”
- 256** Page 203, line 16, at end insert –
“(2) For the purposes of the definition of “appropriate national authority” in sub-paragraph (1) a dwelling-house which is partly in England and partly in Wales is to be treated –
(a) as being in England if it is treated as situated in the area of a billing authority in England by virtue of regulations under section 1(3) of the Local Government Finance Act 1992 (c. 14) (council tax in respect of dwellings), and
(b) as being in Wales if it is treated as situated in the area of a billing authority in Wales by virtue of regulations under that section.”

Schedule 11

- 257** Page 204, line 19, after “which” insert “, subject to subsections (7A) and (7B)”

258 Page 204, line 25, at end insert –

“(7A) The Secretary of State may not make a statutory instrument containing the first regulations made by the Secretary of State under this section unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.

(7B) The Welsh Ministers may not make a statutory instrument containing the first regulations made by the Welsh Ministers under this section unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.”

Schedule 12

259 Page 209, line 9, at end insert –

“(za) after “final demolition notice”, where it first appears, insert “(“the earlier notice””,

(zb) after “final demolition notice”, where it appears for a second time, insert “(and no initial demolition notice)”,”

260 Page 209, line 14, leave out “notice”.” and insert “final demolition notice (or, as the case may be, the initial demolition notice)”.

(4) After sub-paragraph (9) insert –

“(10) In sub-paragraph (8) “initial demolition notice” has the meaning given by paragraph 1 of Schedule 5A (initial demolition notices).””

261 Page 210, line 28, at end insert –

“ In paragraph 1(4)(b) (initial demolition notices: maximum specified period to carry out demolition) for “five” substitute “seven”.”

Before Schedule 14

262 Insert the following new Schedule –

“INELIGIBLE PERSONS FROM ABROAD: STATUTORY DISREGARDS

PART 1

ENGLAND AND WALES

Housing Act 1996 (c. 52)

1 The Housing Act 1996 is amended as follows.

2 (1) Section 167 (allocation in accordance with allocation scheme) is amended as follows.

(2) In subsection (2) after “scheme shall” insert “, subject to subsection (2ZA),”.

(3) After subsection (2) insert –

“(2ZA) People are to be disregarded for the purposes of subsection (2) if they would not have fallen within paragraph (a) or (b) of that

- subsection without the local housing authority having had regard to a restricted person (within the meaning of Part 7).”
- 3 (1) Section 184 (inquiry into cases of homelessness or threatened homelessness) is amended as follows.
- (2) After subsection (3) insert –
- “(3A) If the authority decide that a duty is owed to the applicant under section 193(2) or 195(2) but would not have done so without having had regard to a restricted person, the notice under subsection (3) must also –
- (a) inform the applicant that their decision was reached on that basis,
 - (b) include the name of the restricted person,
 - (c) explain why the person is a restricted person, and
 - (d) explain the effect of section 193(7AD) or (as the case may be) section 195(4A).”
- (3) After subsection (6) insert –
- “(7) In this Part “a restricted person” means a person –
- (a) who is not eligible for assistance under this Part,
 - (b) who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
 - (c) either –
 - (i) who does not have leave to enter or remain in the United Kingdom, or
 - (ii) whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.”
- 4 (1) Section 185 (persons from abroad not eligible for certain housing assistance) is amended as follows.
- (2) In subsection (4) for “another person” substitute “a person falling within subsection (5)”.
- (3) After subsection (4) insert –
- “(5) A person falls within this subsection if the person –
- (a) falls within a class prescribed by regulations made under subsection (2); but
 - (b) is not a national of an EEA State or Switzerland.”
- 5 (1) Section 193 (duty to persons with priority need who are not homeless intentionally) is amended as follows.
- (2) In subsection (3A) after “this section” insert “in a case which is not a restricted case”.
- (3) After subsection (3A) insert –
- “(3B) In this section “a restricted case” means a case where the local housing authority would not be satisfied as mentioned in subsection (1) without having had regard to a restricted person.”
- (4) After subsection (7A) insert –

- “(7AA) In a restricted case the authority shall also cease to be subject to the duty under this section if the applicant, having been informed of the matters mentioned in subsection (7AB)—
- (a) accepts a private accommodation offer, or
 - (b) refuses such an offer.
- (7AB) The matters are—
- (a) the possible consequence of refusal of the offer, and
 - (b) that the applicant has the right to request a review of the suitability of the accommodation.
- (7AC) For the purposes of this section an offer is a private accommodation offer if—
- (a) it is an offer of an assured shorthold tenancy made by a private landlord to the applicant in relation to any accommodation which is, or may become, available for the applicant’s occupation,
 - (b) it is made, with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the authority’s duty under this section to an end, and
 - (c) the tenancy being offered is a fixed term tenancy (within the meaning of Part 1 of the Housing Act 1988) for a period of at least 12 months.
- (7AD) In a restricted case the authority shall, so far as reasonably practicable, bring their duty under this section to an end as mentioned in subsection (7AA).”
- (5) In subsections (7B) and (7C) at the beginning insert “In a case which is not a restricted case,”.
- (6) In subsection (7F) after paragraph (a) (but before the “or” following it) insert—
- “(ab) approve a private accommodation offer;”.
- 6 (1) Section 195 (duties in the case of threatened homelessness) is amended as follows.
- (2) In subsection (3A) after “this section” insert “in a case which is not a restricted threatened homelessness case”.
- (3) In subsection (4)—
- (a) after “Where” insert “, in a case which is not a restricted threatened homelessness case,”, and
 - (b) at the end insert “in a case which is not a restricted case (within the meaning of that section)”.
- (4) After subsection (4) insert—
- “(4A) Where, in a restricted threatened homelessness case, in pursuance of the duty under subsection (2) the authority secure that accommodation other than that occupied by the applicant when he made his application is available for occupation by him, the provisions of section 193(3) to (9) (period for which duty owed) apply, with any necessary modifications, in relation to the duty under this section as they apply in relation to the duty

under section 193 in a restricted case (within the meaning of that section).

- (4B) In subsections (3A) to (4A) “a restricted threatened homelessness case” means a case where the local housing authority would not be satisfied as mentioned in subsection (1) without having had regard to a restricted person.”
- 7 (1) Section 202 (right to request review of decision) is amended as follows.
- (2) In subsection (1) after paragraph (f) insert “, or
- (g) any decision of a local housing authority as to the suitability of accommodation offered to him by way of a private accommodation offer (within the meaning of section 193).”
- (3) In subsection (1A)–
- (a) for “or (7)” substitute “, (7) or (7AA)”, and
- (b) after “(f)” insert “or (as the case may be) (g)”.
- 8 In section 218 (index of defined expressions: Part 7) insert in the Table at the appropriate place –

“restricted person section 184(7)”.

PART 2

SCOTLAND AND NORTHERN IRELAND

Housing (Scotland) Act 1987 (c. 26)

- 9 The Housing (Scotland) Act 1987 is amended as follows.
- 10 (1) Section 20 (persons having priority on housing list and allocation of housing) is amended as follows.
- (2) In subsection (1)(b) at the beginning insert “subject to subsection (1A),”.
- (3) After subsection (1) insert –
- “(1A) Homeless persons and persons threatened with homelessness (within the meaning of Part II) are to be disregarded for the purposes of subsection (1) if they would not be such persons without the local authority having had regard to a restricted person (also within the meaning of Part II).”
- (4) In subsection (2) for “such housing” substitute “housing falling within subsection (1)”.
- 11 (1) Section 30 (notification of decision and reasons) is amended as follows.
- (2) After subsection (3) insert –
- “(3A) If they decide that he is homeless, threatened with homelessness or has a priority need but would not have done so without having had regard to a restricted person, they shall also notify him of –
- (a) the fact that their decision was reached on that basis,

- (b) the name of the restricted person,
 - (c) the reason why the person is a restricted person, and
 - (d) the effect of section 31(2G) or (as the case may be) 32(2A) and (2B).”
- (3) After subsection (5) insert –
- “(6) In this Part “a restricted person” means a person –
- (a) who is not eligible for assistance under this Part,
 - (b) who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
 - (c) either –
 - (i) who does not have leave to enter or remain in the United Kingdom, or
 - (ii) whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.”
- 12 (1) Section 31 (duties to persons found to be homeless) is amended as follows.
- (2) After subsection (2) insert –
- “(2A) In a restricted case the local authority shall cease to be subject to the duty under subsection (2) if the applicant, having been informed of the matters mentioned in subsection (2B) –
- (a) accepts a private accommodation offer, or
 - (b) refuses such an offer.
- (2B) The matters are –
- (a) the possible consequence of refusal of the offer, and
 - (b) that the applicant has the right to request a review of the decisions mentioned in section 35A(2)(e).
- (2C) In this section “a restricted case” means a case falling within subsection (2) where the local authority would not be satisfied as mentioned in subsections (1) and (2) without having had regard to a restricted person.
- (2D) For the purposes of this Part an offer is a private accommodation offer if –
- (a) it is an offer of a short assured tenancy made by a landlord to the applicant in relation to any accommodation which is, or may become, available for the applicant’s occupation,
 - (b) it is made, with the approval of the local authority, in pursuance of arrangements made by them with the landlord with a view to bringing their duty under subsection (2) to an end, and
 - (c) the tenancy being offered is for a period of at least 12 months.
- (2E) The local authority shall not approve a private accommodation offer unless they are satisfied that it is reasonable for the applicant to accept the offer.

- (2F) For the purposes of subsection (2E) an applicant may reasonably be expected to accept an offer even though he is under contractual or other obligations in respect of his existing accommodation, provided he is able to bring those obligations to an end before he is required to take up the offer.
 - (2G) In a restricted case the local authority shall, so far as reasonably practicable, bring their duty under subsection (2) to an end as mentioned in subsection (2A).
 - (2H) Subsections (2A) to (2G) are without prejudice to any other way in which the local authority can cease to be subject to the duty under subsection (2)."
- (3) In subsection (3) –
- (a) for "In any other case, they" substitute "In a case not falling within subsection (2), the local authority", and
 - (b) in paragraph (a) for "his", in the first place where it appears, substitute "the applicant's".
- 13 (1) Section 32 (duties to persons found to be threatened with homelessness) is amended as follows.
- (2) After subsection (2) insert –
- "(2A) Subsection (2B) applies in a restricted threatened homelessness case where, in pursuance of the duty under subsection (2), the local authority secure that accommodation other than that occupied by the applicant when he made his application is available for occupation by him.
 - (2B) The provisions of section 31(2A) to (2H) (circumstances in which duty in restricted case ceases) apply, with any necessary modifications, in relation to the duty under subsection (2) as they apply in relation to the duty under section 31(2) in a restricted case (within the meaning of that section)."
- (3) In subsection (3) for "In any other case they shall furnish him" substitute "In a case not falling within subsection (2) the local authority shall furnish the applicant".
- (4) After subsection (5) insert –
- "(5A) In this section "a restricted threatened homelessness case" means a case falling within subsection (2) where the local authority would not be satisfied as mentioned in subsections (1) and (2) without having had regard to a restricted person."
- 14 (1) Section 34 (duties to persons whose applications are referred) is amended as follows.
- (2) For subsection (2) substitute –
- "(2) If it is determined that the conditions for referral –
 - (a) are satisfied, the notified authority are subject to the duty under section 31(2);
 - (b) are not satisfied, the notifying authority are subject to that duty."
- (3) In subsection (3) for paragraph (a) (but not the "and" after it) substitute –

- “(a) whether they or the notified authority are subject to the duty under section 31(2),”.
- (4) Omit subsection (6).
- 15 In section 35A(2) (right to request review of decision) after paragraph (d) insert—
- “(e) in a case where a private accommodation offer is made to the applicant, any decision—
- (i) that the accommodation offered is not accommodation falling within section 32(5)(a) to (c), or
- (ii) that the authority have discharged their duty to the applicant under section 32(8).”
- 16 In section 43 (minor definitions) at the appropriate places insert—
- (a) ““private accommodation offer” has the meaning assigned to it by section 31(2D);”,
- (b) ““restricted person” has the meaning assigned to it by section 30(6);”, and
- (c) ““short assured tenancy” has the same meaning as in Part 2 of the Housing (Scotland) Act 1988;”.

Housing (Northern Ireland) Order 1988 (S.I. 1988/1990 (N.I. 23))

- 17 Part 2 of the Housing (Northern Ireland) Order 1988 is amended as follows.
- 18 (1) Article 7A (persons not eligible for housing assistance) is amended as follows.
- (2) In paragraph (4) for “another person” substitute “a person falling within paragraph (4A)”.
- (3) After paragraph (4) insert—
- “(4A) A person falls within this paragraph if the person—
- (a) falls within a class specified in an order under section 119(1) of the Immigration and Asylum Act 1999; but
- (b) is not a national of an EEA State or Switzerland.”
- 19 (1) Article 9 (notification of decision and reasons) is amended as follows.
- (2) After paragraph (3) insert—
- “(3A) If the Executive decides that the applicant is homeless, threatened with homelessness or has a priority need but would not have done so without having had regard to a restricted person, it shall also notify him of—
- (a) the fact that its decision was reached on that basis,
- (b) the name of the restricted person,
- (c) the reason why the person is a restricted person, and
- (d) the effect of Article 10(2E) and (2F) or (as the case may be) 11(2A) and (2B).”
- (3) After paragraph (5) insert—
- “(6) In this Article “a restricted person” means a person—

- (a) who is not eligible for assistance under this Part,
 - (b) who is subject to immigration control within the meaning of the Asylum and Immigration Act 1996, and
 - (c) either –
 - (i) who does not have leave to enter or remain in the United Kingdom, or
 - (ii) whose leave to enter or remain in the United Kingdom is subject to a condition to maintain and accommodate himself, and any dependants, without recourse to public funds.”
- 20 (1) Article 10 (duties to persons found to be homeless) is amended as follows.
- (2) After paragraph (2) insert –
- “(2A) In a restricted case the Executive shall cease to be subject to the duty under paragraph (2) if the applicant, having been informed of the possible consequence of refusal –
- (a) accepts a private accommodation offer, or
 - (b) refuses such an offer.
- (2B) For the purposes of this Article an offer is a private accommodation offer if –
- (a) it is an offer of a private tenancy made by a landlord to the applicant in relation to any accommodation which is, or may become, available for the applicant’s occupation,
 - (b) it is made, with the approval of the Executive, in pursuance of arrangements made by the Executive with the landlord with a view to bringing its duty under paragraph (2) to an end, and
 - (c) the tenancy being offered is for a term certain of at least 12 months.
- (2C) The Executive shall not approve a private accommodation offer unless it is satisfied that the accommodation is suitable for the applicant and that it is reasonable for him to accept the offer.
- (2D) For the purposes of paragraph (2C) an applicant may reasonably be expected to accept an offer even though he is under contractual or other obligations in respect of his existing accommodation, provided he is able to bring those obligations to an end before he is required to take up the offer.
- (2E) In a restricted case the Executive shall, so far as reasonably practicable, bring its duty under paragraph (2) to an end as mentioned in paragraph (2A).
- (2F) In a restricted case the Executive shall also cease to be subject to the duty under paragraph (2) if the applicant, having been informed of the possible consequence of refusal, refuses a reasonable offer of accommodation under the Housing Selection Scheme.
- (2G) For the purposes of paragraph (2F) –
- (a) “the Housing Selection Scheme” means the scheme for the allocation of housing accommodation held by the

- Executive approved from time to time under Article 22 of the Order of 1981, and
- (b) an offer of accommodation is reasonable if it is a reasonable offer within the meaning of that Scheme.
- (2H) Paragraphs (2A) to (2G) are without prejudice to any other way in which the Executive can cease to be subject to the duty under paragraph (2).”
- (3) After paragraph (4) insert –
- “(5) In this Article –
- “a private tenancy” has the same meaning as in the Private Tenancies (Northern Ireland) Order 2006 (S.I. 2006/1459 (N.I. 10)),
- “a restricted case” means a case falling within paragraph (2) where the Executive would not be satisfied as mentioned in paragraphs (1) and (2) without having had regard to a restricted person,
- “a restricted person” has the same meaning as in Article 9.”
- 21 (1) Article 11 (duties to persons found to be threatened with homelessness) is amended as follows.
- (2) After paragraph (2) insert –
- “(2A) Paragraph (2B) applies in a restricted threatened homelessness case where, in pursuance of the duty under paragraph (2), the Executive secures that accommodation other than that occupied by the applicant when he made his application is available for occupation by him.
- (2B) The provisions of Article 10(2A) to (2H) (circumstances in which duty in restricted case ceases) apply, with any necessary modifications, in relation to the duty under paragraph (2) as they apply in relation to the duty under Article 10(2) in a restricted case (within the meaning of that Article).”
- (3) After paragraph (4) insert –
- “(4A) In this Article –
- “a restricted person” has the same meaning as in Article 9,
- “a restricted threatened homelessness case” means a case falling within paragraph (2) where the Executive would not be satisfied as mentioned in paragraphs (1) and (2) without having had regard to a restricted person.”

Immigration and Asylum Act 1999 (c. 33)

- 22 (1) Section 119 of the Immigration and Asylum Act 1999 (persons subject to immigration control to be disregarded in determining another person’s eligibility for accommodation or assistance) is amended as follows.
- (2) In subsection (1)(b) for “another person” substitute “a person falling within subsection (1A)”.
- (3) After subsection (1) insert –
- “(1A) A person falls within this subsection if the person –

- (a) falls within a class specified in an order under subsection (1); but
- (b) is not a national of an EEA State or Switzerland.”

PART 3

CONSEQUENTIAL AMENDMENTS

Criminal Justice and Immigration Act 2008 (c. 4)

- 23 The Criminal Justice and Immigration Act 2008 is amended as follows.
- 24 Omit section 134(6) (support for designated persons: eligibility for certain housing assistance).
- 25 Omit section 135(7) (power to amend or repeal section 134(6)).”

Schedule 14

- 263 Page 217, line 4, column 2, after “Schedule 2,” insert “the entry for the Housing Corporation and”
- 264 Page 217, line 4, leave out “entry for, and the Note relating to,” and insert “entries for, and Notes relating to, the Commission for the New Towns and”
- 265 Page 217, line 17, column 2, at end insert –

	“In Schedule 4, in paragraph 4, the words from “be authorised” to “Government to”.”
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- 266 Page 217, line 17, at end insert –

“National Loans Act 1968 (c. 13)	In Schedule 1, in the entry relating to the New Towns Act 1981 (c. 64) – <ul style="list-style-type: none"> (a) in column 1, the words “(5)(6)”; (b) in column 2, the words “and the Commission for the New Towns”.
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- 267 Page 217, line 19, at end insert –

“Statutory Corporations (Financial Provisions) Act 1974 (c. 8)	In section 4(2), the words “and of the Commission for the New Towns”.”
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- 268 Page 217, line 21, column 2, after “Towns” insert “, the Housing Corporation”
- 269 Page 217, line 22, at end insert –

“Northern Ireland Assembly Disqualification Act 1975 (c. 25)	In Part 2 of Schedule 1, the entry relating to the Urban Regeneration Agency.”
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- 270 Page 217, line 24, at end insert –
 “Local Government, Planning and Land Act 1980 (c. 65) | Section 4(4)(b).
 | In section 99(4)(e), the words “the Commission
 | for the New Towns,”.
 | In Schedule 16, paragraph 6.”
- 271 Page 219, line 13, column 2, at end insert –
 | “In section 72(1)(a), the words “or from the
 | Commission”.”
- 272 Page 219, line 33, at end insert –
 “Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66) | In section 15, the words from “or under
 | subsection (1)” to “similar provision”.
 | In Schedule 2, in paragraph 1, the words from
 | “or under subsection (1)” to “contains similar
 | provision)”.”
- 273 Page 219, line 44, column 2, leave out “85(3)(a)” and insert “85 –
 (a) in subsection (3)(a)”
- 274 Page 219, line 45, column 2, at end insert –
 “(b) subsections (5) and (5A)”
- 275 Page 219, line 47, column 2, at end insert –
 | “In section 128(2), the words “, or as the case
 | may be re-determined,”.”
- 276 Page 220, line 4, column 2, at beginning insert –
 | “In section 10(2), paragraph (e) and the “or”
 | before it.”
- 277 Page 220, line 8, at end insert –
 “Housing (Scotland) Act 1987 (c. 26) | Section 34(6).”
- 278 Page 220, line 9, column 2, at end insert –
 | “In section 58(1)(b), the words “the Commission
 | for the New Towns or”.”
- 279 Page 220, line 12, column 2, leave out “9(3)” and insert “9 –
 (a) in subsection (3)”
- 280 Page 220, line 13, column 2, at end insert –
 “(b) subsections (5) and (5A)”

- 281** Page 220, line 13, column 2, at end insert –
- | “In the italic heading before section 50, the words “: functions of Relevant Authority”. Sections 50 and 51.”
- 282** Page 220, line 16, leave out “paragraph” and insert “paragraphs 7(3) and”
- 283** Page 220, line 17, column 2, at beginning insert –
- | “In section 172(8), in the definition of “new town corporation”, the words “the Commission for the New Towns or”.”
- 284** Page 220, line 33, column 2, at end insert –
- | “Section 181(1) and (3).”
- 285** Page 220, line 37, column 2, at end insert –
- | “In Schedule 21 –
- (a) paragraph 3 and the italic heading before it,
- (b) paragraph 32 and the italic heading before it.”
- 286** Page 220, line 40, column 2, leave out “paragraph 63(5)” and insert “paragraphs 63(5) and 104 and the italic heading before paragraph 104.”
- 287** Page 220, line 44, at end insert –
- “Finance Act 1996 (c. 8) | In section 43A –
- (a) subsection (5)(e),
- (b) in subsection (6), the definition of “English Partnerships”.”
- 288** Page 220, line 44, at end insert –
- “Family Law Act 1996 (c. 27) | In Schedule 8 –
- (a) paragraph 53,
- (b) paragraph 59 and the italic heading before it.”
- 289** Page 220, line 45, column 2, at end insert –
- | “Section 28(1), (2), (5) and (6).”
- 290** Page 221, line 7, column 2, at end insert –
- | “In section 202(1), the word “or” after paragraph (e).”

- 291 Page 221, line 15, column 2, at end insert –
 | “In Schedule 18, paragraph 22(1)(f).”
- 292 Page 221, line 16, column 2, at beginning insert –
 | “Section 129.”
- 293 Page 221, line 19, leave out “18(10)(a)” and insert “18(4) to (7), (10)(a)”
- 294 Page 221, line 25, at end insert –
 “Audit Commission Act 1998 Sections 41 to 41B and 43.
 (c. 18)
 In Schedule 1 –
 (a) paragraph 8(2)(c) and (ca), and
 (b) paragraph 8A.
 In Schedule 2A, in paragraph 3 –
 (a) paragraph (a) of the definition of “Audit
 Commission inspection”, and
 (b) paragraph (e) of the definition of
 “national studies functions”.”
- 295 Page 221, line 27, after “paragraphs” insert “24 to”
- 296 Page 221, line 27, after “26,” insert “61(1), 64, 65,”
- 297 Page 221, line 28, at end insert –
 “Regional Development | Section 36 and the italic heading before it.
 Agencies Act 1998 (c. 45) | Section 37.
 | In section 38(10), in the definition of “qualifying
 | transfer”, paragraph (b).
 | Schedule 9.”
- 298 Page 221, line 40, column 2, at end insert –
 | “In section 408 –
 | (a) subsection (3)(h) and (i),
 | (b) subsection (6).
 | Section 409(5).”
- 299 Page 221, line 42, column 2, after “Townns” insert “, the Housing Corporation”
- 300 Page 221, line 43, at end insert –
 “Transport Act 2000 (c. 38) | In Schedule 5, paragraph 17.”

- 301** Page 221, line 45, at end insert –
- | | |
|---|--|
| “Postal Services Act 2000 (Consequential Modifications No. 1) Order 2001 (S.I. 2001/1149) | In Schedule 1, paragraph 98 and the italic heading before it.” |
|---|--|
- 302** Page 222, line 2, column 2, leave out “Article 2” and insert “The whole Order”
- 303** Page 222, line 5, at end insert –
- | | |
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| “Communications Act 2003 (c. 21) | In Schedule 17, paragraph 123 and the italic heading before it.” |
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- 304** Page 222, line 5, at end insert –
- | | |
|------------------------------------|---------------|
| “Local Government Act 2003 (c. 26) | Section 109.” |
|------------------------------------|---------------|
- 305** Page 222, line 8, column 2, at end insert –
- | | |
|--|---|
| | “Article 18 and the heading before it.” |
|--|---|
- 306** Page 222, line 11, at end insert –
- | | |
|--|---|
| “Public Audit (Wales) Act 2004 (c. 23) | In Schedule 2, paragraphs 27 to 30 and 37.” |
|--|---|
- 307** Page 222, line 11, at end insert –
- | | |
|-------------------------------------|--|
| “Civil Partnership Act 2004 (c. 33) | “In Schedule 9 –
(a) paragraph 18,
(b) paragraph 23 and the italic heading before it.” |
|-------------------------------------|--|
- 308** Page 222, line 14, at end insert –
- | | |
|--|---|
| “Tribunals, Courts and Enforcement Act 2007 (c. 15) | In Schedule 22, paragraph 8 and the italic heading before it. |
| Companies Act 2006 (Commencement No. 3, Consequential Amendments, Transitional Provisions and Savings) Order 2007 (S.I. 2007/2194) | In Schedule 4, paragraph 83 and the heading before it.” |

309 Page 222, line 14, at end insert –

“Local Government and Public Involvement in Health Act 2007 (c. 28)	Section 155(2) and (5).”
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310 Page 222, line 14, at end insert –

“Criminal Justice and Immigration Act 2008 (c. 4)	Section 134(6). Section 135(7).”
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311 Page 222, line 14, at end insert –

“Housing and Regeneration Act 2008 (c. 00)	Section 55(2).”
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LORDS AMENDMENTS TO THE
HOUSING AND REGENERATION
BILL

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