STATUTORY INSTRUMENTS

2006 No. 1263

HOUSING, ENGLAND

The Housing (Right to Buy)(Priority of Charges) (England) Order 2006

Made - - - -	*2nd May 2006*
Coming into force - -	*26th May 2006*

The First Secretary of State, in exercise of the powers conferred by section 156(4) of the Housing Act 1985(**a**), makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Housing (Right to Buy)(Priority of Charges)(England) Order 2006 and shall come into force on 26th May 2006.

(2) This Order applies in England only.

Specified bodies

2. Cheval Property Finance plc (Company No. 3131133) and Church House Trust plc (Company No. 980698) are specified as approved lending institutions for the purposes of section 156 of the Housing Act 1985(**b**).

Signed by authority of the First Secretary of State

Yvette Cooper
Minister of State
Office of the Deputy Prime Minister

2nd May 2006

(**a**) 1985 (c. 68). Section 156(4) was amended by paragraph 22(1)(c) of Schedule 18, and Part 13 of Schedule 19, to the Housing Act 1996 (c. 52), section 140 of, and paragraph 5 of Schedule 16 to, the Government of Wales Act 1998 (c.38), and by SI 2001/3649. The Secretary of State's functions under section 156, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672) article 2 and Schedule 1.

(**b**) Section 156 was also amended by section 24(1) of, and paragraph 1(2) and (5) of Schedule 5 to, the Housing and Planning Act 1986 (c.63), by section 120(3) and (4) of the Leasehold Reform, Housing and Urban Development Act 1993 (c.28) and by section 135 of, and Schedule 13 to, the Land Registration Act 2002 (c.9).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order specifies two bodies as approved lending institutions for the purposes of section 156 of the Housing Act 1985 (which specifies that liability to repay the covenant required by section 155 under the right to buy is a charge on the premises, and deals with priority of charges on disposals). Other bodies have been specified by previous orders. In being specified for the purposes of that section the bodies also become approved lending institutions for the purposes of section 36 of the Housing Act 1985 (priority of charges on voluntary disposals by local authorities) and section 12 of the Housing Act 1996 (priority of charges on voluntary disposals by registered social landlords).

Section 156 of the Housing Act 1985 is applied by section 171A of that Act (inserted by section 8 of the Housing and Planning Act 1986) to cases in which a tenant's right to buy is preserved, and by section 17 of the Housing Act 1996 to cases in which a tenant has the right to acquire under section 16 of that Act. The specified bodies are therefore also approved lending institutions for the purposes of those rights.

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