

SCHEDULE

Transfer of Functions from the HCA to the Regulator of Social Housing

PART 4

Transitional and Savings Provisions

General transitional and saving provisions

48.—(1) A relevant transfer from the HCA to the Regulator does not affect the validity of anything done (or having effect as if done) by or in relation to the HCA before the transfer takes effect.

(2) Anything that—

(a) is done (or has effect as if done) by or in relation to the HCA in respect of anything transferred under a relevant transfer, and

(b) has effect immediately before the date on which the relevant transfer took place,

is to be treated as done by or in relation to the Regulator.

(3) There may be continued by or in relation to the Regulator anything (including legal proceedings) that—

(a) relates to anything transferred under a relevant transfer, and

(b) is in the process of being done by, on behalf of, or in relation to the HCA immediately before the date on which the relevant transfer took place.

(4) Sub-paragraph (5) applies to any document that—

(a) relates to anything transferred under a relevant transfer, and

(b) is in effect immediately before the date on which the relevant transfer took place.

(5) Any references (however expressed) in the document to the HCA or to the Regulation Committee are to be read, so far as is necessary, as references to the Regulator.

(6) In sub-paragraphs (1) to (3) and (5) a reference to the HCA is to the HCA acting through or for the purposes of the functions of the Regulation Committee.

(7) References in this paragraph to “relevant transfer” are to—

(a) the transfer of any function from the HCA to the Regulator, or

(b) the transfer from the HCA to the Regulator under paragraph 45 of any property, rights or liabilities.

Membership of the Regulator: transitional provision

49.—(1) The Secretary of State must appoint the persons who were, immediately before this Order comes into force, the chair and other members of the Regulation Committee as the first chair and other appointed members of the Regulator, subject to their willingness to be appointed.

(2) Section 80D of the Housing and Regeneration Act 2008, inserted by Part 1, does not apply, and accordingly the Secretary of State must appoint the first chief executive of the Regulator.

(3) The Secretary of State must determine the terms of an appointment made under sub-paragraph (1) or (2).

Status: *This is the original version (as it was originally made).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

(4) Where a person who is a member of both the Regulation Committee and the HCA is appointed by the Secretary of State as a member of the Regulator under this paragraph, that person's membership of the HCA ceases on the date on which the appointment to the Regulator takes effect.