

 December 1996	<h1>Tax relief grant (repayment)</h1> <p>General determination 1996</p>
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EXPLANATORY NOTE

(This note is not part of the Determination)

1. Section 54 of the Housing Act 1988 gives the Secretary of State for the Environment powers to pay grants to registered housing associations in relief of their income and corporation tax. The Secretary of State delegated this function to the Housing Corporation in 1989.
2. On 1 October 1996, as provided for in the Housing Act 1996, all housing associations registered with the Housing Corporation became known as “Registered Social Landlords”.
3. Section 54 already gives the Corporation powers of recovery when it learns that tax relieved by grant was not chargeable (e.g. upon a tax refund). This determination formally sets out other circumstances in which the Corporation may recover tax relief grants.

TAX RELIEF GRANT (REPAYMENT)

1. The Housing Corporation (“the Corporation”) in exercise of the powers conferred on the Secretary of State for the Environment by Section 54(5)(b) of the Housing Act 1988 and delegated to the Corporation under Section 57 of that Act and all other powers enabling it in that behalf, and after consultation with such bodies appearing to the Corporation to be representative of Registered Social Landlords as it considered appropriate, hereby makes the following determination of the events, other than when tax in respect of which grant was paid is found not to be chargeable, upon which repayment of grant may be secured.

CITATION AND COMMENCEMENT

2. This Determination may be cited as the Tax Relief Grant (Repayment) Determination 1996.
3. This Determination shall have effect as respects any grant made after the date of this Determination.

INTERPRETATION

4. “*Registered Social Landlord*” means a body registered with the Corporation under sections 1(2) or 3 of the Housing Act 1996;

CONDITIONS FOR REPAYMENT OF TAX RELIEF GRANT

5. The conditions of a grant may include conditions for securing the repayment in whole or in part of a grant made to a Registered Social Landlord in the following events:
 - (a) a Registered Social Landlord beginning to trade for profit;
 - (b) the discovery that the Corporation has received incorrect information or made an error in connection with the payment of tax relief grant;
 - (c) the discovery that grant has been claimed and paid in respect of tax on activities which do not qualify for grant;
 - (d) in respect of an accounting period for which a payment on account was made, the failure of a Registered Social Landlord to submit a final claim for tax relief grant within timetables specified by the Corporation from time to time.

BY ORDER OF THE CORPORATION this TWENTIETH day of DECEMBER 1996.

R A J Mayer
Chief Executive

