



# Tenant Fees Act 2019

## 2019 CHAPTER 4

### *Prohibitions etc applying to landlords and letting agents*

#### **3 Prohibited and permitted payments**

- (1) For the purposes of this Act a payment is a prohibited payment unless it is a permitted payment by virtue of Schedule 1.
- (2) The Secretary of State may by regulations made by statutory instrument amend Schedule 1 by adding, modifying or removing a reference to a permitted payment.
- (3) The power in subsection (2) does not extend to removing rent from the categories of payment which are permitted payments under this Act.
- (4) Regulations under this section—
  - (a) may make different provision for different purposes;
  - (b) may make supplemental, incidental, consequential, transitional, transitory or saving provision.
- (5) Subject to subsection (6), a statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (6) Subsection (5) does not apply to a statutory instrument containing only regulations under this section which amend the amount for the time being set out in paragraph 6(2)(a) of Schedule 1 (maximum amount of permitted payment on variation, assignment or novation of a tenancy) for the purposes only of reflecting changes in the value of money.
- (7) A statutory instrument to which subsection (6) applies is subject to annulment in pursuance of a resolution of either House of Parliament.

#### **Commencement Information**

- II** S. 3(2)-(7) in force at Royal Assent, see s. 34(3)(a)

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**Changes to legislation:** There are currently no known outstanding effects  
for the Tenant Fees Act 2019, Section 3. (See end of Document for details)

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**I2** S. 3(1) in force at 1.6.2019 by S.I. 2019/857, reg. 3(c)

**Changes to legislation:**

There are currently no known outstanding effects for the Tenant Fees Act 2019, Section 3.