



# Rent Act 1974

## 1974 CHAPTER 51

### *Supplementary*

11, 12. ....<sup>F1</sup>

#### **Textual Amendments**

**F1** Ss. 11, 12 repealed by [Social Security and Housing Benefits Act 1982 \(c. 24, SIF 113:1\)](#), s. 48(6), [Sch. 5](#)

### **13 Effect on furnished sub-tenancy of determination of superior unfurnished tenancy.**

- (1) Without prejudice to the operation of section 1(1) above if, in a case where . . .<sup>F2</sup>, section 17 of the <sup>M1</sup>Rent (Scotland) Act 1971 applies (effect on sub-tenancies of determination of superior tenancy), the relevant conditions are fulfilled, the terms on which the sub-tenant is, by virtue of that subsection, deemed to become the tenant of the landlord shall not include any terms as to the provision by the landlord of furniture or services.
- (2) The relevant conditions referred to in subsection (1) above are—
  - (a) that the [<sup>F3</sup>statutorily protected tenancy] which is determined as mentioned in the said section . . .<sup>F2</sup> 17(2) was neither a protected furnished tenancy nor a statutory furnished tenancy; and
  - (b) that, immediately before the determination of that [<sup>F3</sup>statutorily protected tenancy], the sub-tenant referred to in that section was the tenant under a protected furnished tenancy or a statutory furnished tenancy; and
  - (c) that the landlord, within the period of six weeks beginning with the day on which the [<sup>F3</sup>statutorily protected tenancy] referred to in that section is determined, serves notice on the sub-tenant that this section is to apply to his [<sup>F3</sup>statutorily protected tenancy].

*Changes to legislation: There are currently no known outstanding effects for the Rent Act 1974, Cross Heading: Supplementary. (See end of Document for details)*

[<sup>F4</sup>(3) In this section “statutorily protected tenancy” has the same meaning as in the said section 18(2)]

#### Textual Amendments

- F2** Words repealed by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, **Sch. 25** (subject to the savings and transitional provisions in [Schedule 24](#))
- F3** Words substituted by [Rent \(Agriculture\) Act 1976 \(c. 80, SIF 75:3\)](#), s. 40(2), **Sch. 8 para. 32**
- F4** [S. 13\(3\)](#) added by [Rent \(Agriculture\) Act 1976 \(c. 80, SIF 75:3\)](#), s. 40(2), **Sch. 8 para. 32**

#### Marginal Citations

- M1** [1971 c. 28.](#)

14

(1) ..... <sup>F5</sup>

(3) After section 95 of the <sup>M2</sup>Rent (Scotland) Act 1971 there shall be inserted the following section:—

**“95A Power of sheriff, in action for possession, to reduce period of notice to quit.**

In any case where—

- (a) a notice to quit a dwelling-house which is the subject of a Part VII contract has been served, and
- (b) the period at the end of which the notice to quit takes effect is for the time being extended by virtue of section 92 or section 93 above, and
- (c) at some time during that period the lessor institutes proceedings before the sheriff for possession of the dwelling-house, and
- (d) in those proceedings the sheriff is satisfied that any of paragraphs (a) to (d) of section 95(2) above applies,

the sheriff may direct that the period referred to in paragraph (b) above shall be reduced so as to end at a date specified in the direction.”

#### Textual Amendments

- F5** [Ss. 3\(1\), 4\(1\)\(2\), 14\(1\)\(2\), 17\(4\)](#) repealed by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, **Sch. 25** (subject to the savings and transitional provisions in [Sch. 24](#))

#### Modifications etc. (not altering text)

- C1** The text of [ss. 1\(4\)\(a\), 2\(1\)\(2\), 3\(2\), 4\(3\)\(4\), 9, 10, 14\(3\), 16\(2\)](#) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### Marginal Citations

- M2** [1971 c. 28.](#)

## 15 Interpretation.

(1) In this Act—

“commencement date” means the date on which this Act comes into operation;

“dwelling”, in relation to a furnished letting, means a house or part of a house;

“furnished letting” means . . . <sup>F6</sup>, a Part VII contract, as defined in section 85(5) of the Rent (Scotland) Act 1971;

“protected furnished tenancy”, “regulated furnished tenancy” and “statutory furnished tenancy” shall be construed in accordance with section 1(2) above;

“the Rent Act” means, . . . <sup>F6</sup>, the Rent (Scotland) Act 1971;

“the relevant Part of the Rent Act” means . . . <sup>F6</sup>, Part VII of the Rent (Scotland) Act 1971; and

“services” has the same meaning as in the relevant Part of the Rent Act.

(2) Without prejudice to subsection (1) above, . . . , section 133(1) of the <sup>M3</sup>Rent (Scotland) Act 1971 (interpretation) shall apply for the purposes of this Act other than sections 11 and 12 above as it applies for the purposes of that Act.

(3) Except in so far as the context otherwise requires, any reference in this Act to any other enactment shall be taken as referring to that enactment as amended by or under any other enactment, including this Act.

### Textual Amendments

**F6** Words repealed by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, [Sch. 25](#) (subject to the savings and transitional provisions in [Schedule 24](#))

### Marginal Citations

**M3** [1971 c. 28](#).

## 16 Transitional provisions and repeals.

(1) The transitional provisions in Schedule 3 to this Act shall have effect, notwithstanding anything in the preceding provisions of this Act.

(2) The enactments specified in Schedule 4 to this Act are hereby repealed to the extent specified in the third column of that Schedule but, in the case of the enactments specified in Part II of that Schedule, only with effect from the day appointed for the purposes of subsection (1) of sections 11 and 12 above.

### Modifications etc. (not altering text)

**C2** The text of ss. 1(4)(a), 2(1)(2), 3(2), 4(3)(4), 9, 10, 14(3), 16(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and, except as specified, does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

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*Changes to legislation: There are currently no known outstanding effects for the Rent Act 1974, Cross Heading: Supplementary. (See end of Document for details)*

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## 17 Short title, citation, application, commencement and extent.

- (1) This Act may be cited as the Rent Act 1974.
- (2) ..... <sup>F7</sup>
- (3) This Act and the Rent (Scotland) Acts 1971 and 1972 may be cited together as the Rent (Scotland) Acts 1971 to 1974.
- (4) ..... <sup>F8</sup>
- (5) This Act shall come into operation at the expiry of the period of two weeks beginning with the date on which it is passed.
- (6) [<sup>F9</sup>section 11 of this Act does not extend] to Scotland and sections 3(2), 4(3) and (4), 9, 10, 12 and 14(3) of this Act and Part III of Schedules 1 and 2 to this Act extend to Scotland only.
- (7) This Act does not extend to Northern Ireland.

### Textual Amendments

- F7** Ss. 1(4)(c), 17(2) repealed by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, [Sch. 25](#) (subject to the savings and transitional provisions in [Schedule 24](#))
- F8** Ss. 3(1), 4(1)(2), 14(1)(2), 17(4) repealed by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, [Sch. 25](#) (subject to the savings and transitional provisions in [Sch. 24](#))
- F9** Words substituted by [Rent Act 1977 \(c. 42, SIF 75:3\)](#), s. 155, [Sch. 23 para. 67](#) (subject to the savings and transitional provisions in [Schedule 24](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Rent Act 1974, Cross Heading: Supplementary.