

## SCHEDULES

### SCHEDULE 2

#### PHASING OF RENT INCREASES WHERE RENT FOR DWELLING-HOUSE UNDER REGULATED TENANCY IS REGISTERED

#### PART II

##### MISCELLANEOUS AMENDMENTS RELATING TO PHASING OF RENT INCREASES

- 11 In section 19(2) of the 1971 Act (determination of rent during contractual periods), as amended in terms of paragraph 3(4) of Part III to the Schedule to the Fire Precautions Act 1971, after the words " Fire Precautions Act 1971 " there shall be inserted the words " and section 7 of the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 12 In section 21(2)(b) of the 1971 Act (limit of rent during statutory periods), as amended in terms of paragraph 23 of Schedule 9 to the 1972 Act, for the words from " section 79 " to " 1972 " there shall be substituted the words " section 7 of the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 13 In section 31 of the 1971 Act (recovery from landlord of sums paid in excess of recoverable rent, etc.), after the words " this Part of this Act", in subsections (1) and (4) of that section, there shall be inserted in each case the words " or sections 7, 8 and 9 of the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 14 In section 43 of the 1971 Act (amount to be registered as rent), as amended by section 40 of the 1972 Act (certain amounts to be separately noted in register), for subsections (1A) and (1B) there shall be substituted the following subsections—
- “(1A) Subject to subsection (1B) below, there shall be noted separately on the register the amount, if any, of the registered rent which, in the opinion of the rent officer or rent assessment committee, is fairly attributable to each of the following—
- (a) the use of furniture ;
  - (b) the provision of services ;
  - (c) the use of part of the premises comprised in a dwelling house as a shop or office or for business, trade or professional purposes.
- (1B) There shall not be noted on the register under subsection (1A) above any amount which in the opinion of the rent officer or rent assessment committee is less than 5 per cent, of the registered rent.”.
- 15 In section 43(3)(a) of the 1971 Act (treatment of rates borne by landlord), after the words "of this Act" there shall be inserted the words " or section 7 of the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 16 In Schedule 6 to the 1971 Act (applications for registration of rents), in paragraph 15, as added in terms of paragraph 28 of Schedule 9 to the 1972 Act, at the end

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

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- there shall be added the words " and any amount to be recorded in the register in pursuance of paragraph 2(2) of Schedule 2 to the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 17 In Part III of the Schedule to the Fire Precautions Act 1971, in paragraph 3(1)(c), as added in terms of paragraph 31(3) of Schedule 9 to the 1972 Act, for the words from " Schedule 13 " to " 1972 " there shall be substituted the words " Schedule 2 to the Housing Rents and Subsidies (Scotland) Act 1975 ".
- 18 In section 42(3) of the 1972 Act (requirements as respects rent agreements), after paragraph (b) there shall be added the following paragraph—  
“(bb) the agreement contains a statement that, if a rent is registered under Part IV of the Act of 1971 in respect of the dwelling-house, any increase in the rent may be phased under section 7 of the Housing Rents and Subsidies (Scotland) Act 1975;”
- 19 In section 45 of the 1972 Act (failure to comply with provisions of rent agreements), in subsections (1) and (2), for the words " 43 or 44" there shall (in each case) be substituted the words " or 43 "
- 20 In Schedule 3 to the 1972 Act (rent rebates and allowances), in paragraph 15(1)(b) for the words from "Schedule 13 " to the end of head (b) there shall be substituted the words " Schedule 2 to the Housing Rents and Subsidies (Scotland) Act 1975. "