Housing Rents and Subsidies (Scotland) Act 1975 (c. 28)
SCHEDULE 3 – Miscellaneous and Consequential Amendments
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SCHEDULES

SCHEDULE 3

MISCELLANEOUS AND CONSEQUENTIAL AMENDMENTS

The Housing (Scotland) Act 1969

3   In section 62 (increase of rents of houses belonging to certain authorities without notice of removal)—

(1) For existing subsections (1) and (2) there shall be substituted the following subsections—

"(1) Subject to subsections (2) and (3) of this section, where a house belonging to an authority to which this section applies is let for any period, it shall be an implied term of the tenancy that the rent payable to the authority under the tenancy may, without the tenancy being terminated, be increased with effect from any day of the tenancy by a written notice of increase given by the authority to the tenant not less than four weeks before that day.

(2) Where an authority to which this section applies gives under subsection (1) of this section a notice of increase which is to be operative as from any day and the tenancy continues beyond that day, it shall be an implied term of the tenancy that the notice shall nevertheless not have effect if the tenancy is terminated by a notice of removal given by the tenant, and—

(a)   the notice of removal is given before the end of the period of two weeks following the date on which the notice of increase is given, or such longer period as may be allowed by the notice of increase; and

(b)   the date on which the tenancy is made to terminate is not later than 4 weeks after the date on which the notice of removal is given; and the tenant shall be entitled to give a notice of removal in conformity with paragraphs (a) and (b) above notwithstanding the provisions express or implied of the tenancy.".

(2) In subsection (6), for the words " section 379(1) of the Local Government (Scotland) Act 1947 " there shall be substituted the words " section 235(1) of the Local Government (Scotland) Act 1973. ".