



Rent Act 1977

1977 CHAPTER 42

PART XI

GENERAL

Supplemental

149 Powers of local authorities for purposes of giving information

- (1) Any local authority to which this section applies shall have power—
- (a) to publish information, for the assistance of landlords and tenants and others, as to their rights and duties under—
 - (i) the Landlord and Tenant Act 1962,
 - (ii) the Protection from Eviction Act 1977,
 - (iii) section 90 of the Housing Finance Act 1972, and
 - (iv) this Act,and as to the procedure for enforcing those rights or securing the performance of those duties, and
 - (b) to publish information, for the assistance of owners and occupiers of dwelling-houses and others, as to their rights and duties under the Rent (Agriculture) Act 1976 and as to the procedure for enforcing those rights or securing the performance of those duties, and
 - (c) to make any such information as is mentioned in paragraph (a) or (b) above available in any other way, and
 - (d) to furnish particulars as to the availability, extent and character of alternative accommodation.
- (2) This section applies to the following local authorities:—
- (a) councils of districts and of London boroughs;
 - (b) the Common Council of the City of London ; and
 - (c) the Council of the Isles of Stilly.

Status: This is the original version (as it was originally enacted).

150 Prosecution of offences

- (1) Offences under this Act are punishable summarily.
- (2) Proceedings for an offence under this Act (other than one under section 31(9)) may be instituted by any local authority to which section 149 of this Act applies.

151 Service of notices on landlord's agents

- (1) Any document required or authorised by this Act to be served by the tenant of a dwelling-house on the landlord thereof shall be deemed to be duly served on him if it is served—
 - (a) on any agent of the landlord named as such in the rent book or other similar document; or
 - (b) on the person who receives the rent of the dwelling-house.
- (2) Where a dwelling-house is subject to a regulated tenancy, subsection (1) above shall apply also in relation to any document required or authorised by this Act to be served on the landlord by a person other than the tenant.
- (3) If for the purpose of any proceedings (whether civil or criminal) brought or intended to be brought under this Act, any person serves upon any such agent or other person as is referred to in paragraph (a) or paragraph (b) of subsection (1) above a notice in writing requiring the agent or other person to disclose to him the full name and place of abode or place of business of the landlord, that agent or other person shall forthwith comply with the notice.
- (4) If any such agent or other person as is referred to in subsection (3) above fails or refuses forthwith to comply with a notice served on him under that subsection, he shall be liable to a fine not exceeding £25, unless he shows to the satisfaction of the court that he did not know, and could not with reasonable diligence have ascertained, such of the facts required by the notice to be disclosed as were not disclosed by him.
- (5) So far as this section relates to Part V or IX or sections 103 to 107, of this Act, references to a landlord and to a tenant shall respectively include references to a lessor and to a lessee as defined by section 85 of this Act.

152 Interpretation

- (1) In this Act, except where the context otherwise requires,—
 - " the appropriate day " has the meaning assigned to it by section 25(3) of this Act;
 - " controlled tenancy " shall be construed in accordance with section 17 of this Act;
 - " landlord " includes any person from time to time deriving title under the original landlord and also includes, in relation to any dwelling-house, any person other than the tenant who is, or but for Part VII of this Act would be, entitled to possession of the dwelling-house;
 - " let" includes " sublet" ;
 - " long tenancy " means a tenancy granted for a term of years certain exceeding 21 years, whether or not subsequently extended by act of the parties or by any enactment;

" protected furnished tenancy", " regulated furnished tenancy " and " statutory furnished tenancy " mean a protected or, as the case may be, regulated or statutory tenancy—

(a) under which the dwelling-house concerned is bona fide let at a rent which includes payments in respect of furniture, and

(b) in respect of which the amount of rent which is fairly attributable to the use of furniture, having regard to the value of that use to the tenant, forms a substantial part of the whole rent;

" protected tenant " and " protected tenancy " shall be construed in accordance with section 1 of this Act;

" rates " includes water rates and charges but does not include an owner's drainage rate as defined in section 63(2)(a) of the Land Drainage Act 1976;

" rateable value " shall be construed in accordance with section 25 of this Act;

" regulated tenancy " shall be construed in accordance with section 18 of this Act;

" rent tribunal " has the meaning given by section 76(1) of this Act;

" rental period " means a period in respect of which a payment of rent falls to be made ;

" restricted contract " shall be construed in accordance with section 19 of this Act;

" statutory tenant " and " statutory tenancy " shall be construed in accordance with section 2 of this Act;

" tenant " includes statutory tenant and also includes a sub-tenant and any person deriving title under the original tenant or sub-tenant;

" tenancy " includes " sub-tenancy " ;

" tenancy at a low rent " has the meaning assigned to it by section 5 of this Act.

- (2) 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.

153 Application to Isles of Scilly

- (1) With the exception of Part V, and sections 103 to 106, of this Act (which do not apply to the Isles of Scilly) this Act applies to the Isles subject to such exceptions, adaptations and modifications as the Secretary of State may by order direct.
- (2) The power to make an order under this section shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) An order under this section may be varied or revoked by a subsequent order.

154 Application to Crown property

- (1) Subject to sections 13 and 19(5)(b) of this Act this Act shall apply in relation to premises in which there subsists, or at any material time subsisted, a Crown interest as it applies in relation to premises in which no such interest subsists or ever subsisted.

Status: This is the original version (as it was originally enacted).

- (2) In this section " Crown interest" means an interest which belongs to Her Majesty in right of the Crown or of the Duchy of Lancaster or to the Duchy of Cornwall, or to a government department, or which is held in trust for Her Majesty for the purposes of a government department.

155 Modifications, amendments, transitional provisions, repeals etc.

- (1) In relation to such protected and statutory tenancies in existence at the commencement of this Act as are specified in Schedule 22 thereto, the provisions of this Act specified in that Schedule shall have effect subject to the modifications so specified.
- (2) Subject to subsection (3) below, the enactments specified in Schedule 23 to this Act shall have effect subject to the amendments specified in that Schedule.
- (3) The savings and transitional provisions in Schedule 24 to this Act shall have effect.
- (4) The inclusion in this Act of any express saving, transitional provision or amendment shall not be taken as prejudicing the operation of section 38 of the Interpretation Act 1889 (which relates to the effect of repeals).
- (5) Subject to subsection (3) above, the enactments specified in Schedule 25 to this Act (which include enactments which were spent before the passing of this Act) are hereby repealed to the extent specified in the third column of that Schedule.

156 Short title, commencement and extent

- (1) This Act may be cited as the Rent Act 1977.
- (2) This Act shall come into force on the expiry of the period of one month beginning with the date on which it is passed.
- (3) This Act does not extend to Scotland or Northern Ireland.