

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

## SCHEDULES

### <sup>F1</sup>SCHEDULES 1—4A

#### Textual Amendments

**F1** Schs. 1—4A repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

<sup>F1</sup>

### SCHEDULE 5

#### APPLICATION OF LANDLORD AND TENANT ACT 1954 TO ASSURED TENANCIES

- 1 The exceptions and modifications referred to in section 58(1) and (2) of this Act are as follows.
- 2 Sections 23, 43 and 56 to 60B do not apply.
- 3 In relation to an assured tenancy the expression “the holding” (which is defined for the purposes of Part II in section 23(3)) means the property comprised in the tenancy.
- 4 (1) Section 30 applies as if—
  - (a) for paragraph (d) in subsection (1) there were substituted the following paragraph—

“(d) that the landlord has offered and is willing to provide or secure the provision of suitable alternative accommodation for the tenant.”;
  - (b) in subsection (2) for the words from “a tenancy” to the end there were substituted the words “an assured tenancy or successive assured tenancies”;
  - and
  - (c) at the end there were added the subsections set out in sub-paragraph (2) below.
- (2) The following are the subsections added to section 30 in its application to assured tenancies—

“(4) Accommodation shall be deemed to be suitable if it consists of either—

  - (a) premises which are to be let as a separate dwelling such that they will then be let on an assured tenancy or on a protected or secure tenancy, or
  - (b) premises to be let as a separate dwelling on terms which will, in the opinion of the court, afford to the tenant security of tenure reasonably equivalent to that afforded by this Part of this Act in the case of an assured tenancy,

and, in the opinion of the court, the accommodation fulfils the conditions mentioned below.

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- (5) The conditions are that the accommodation is reasonably suitable to—
- (a) the needs of the tenant and his family as regards proximity to place of work;
  - (b) the means of the tenant; and
  - (c) the needs of the tenant and his family as regards extent and character; and

that if any furniture was provided for use under the assured tenancy in question, furniture is provide for use in the accommodation which is either similar to that so provided or is reasonably suitable to the needs of the tenant and his family.

- (6) Accommodation shall not be deemed to be suitable to the needs of the tenant and his family if the result of their occupation of the accommodation would be that it would be an overcrowded dwelling-house for the purposes of the Housing Act 1957.

- (7) In this section—

“assured tenancy” has the same meaning as in section 56 of the Housing Act 1980;

“protected tenancy” means a protected tenancy within the meaning of the Rent Act 1977, other than one under which the landlord might recover possession of the dwelling-house under one of the Cases in Part II of Schedule 15 to that Act (cases where the court must order possession); and

“secure tenancy” has the same meaning as in section 28 of the Act of 1980.”.

5 Section 31A applies as if in subsection (1)(a) for the words “for the purposes of the business carried on by the tenant” there were substituted “as a residence for the tenant and his family”.

6 Section 34 applies as if in subsection (2)(b) for the words from “tenancies” to the end there were substituted the words “assured tenancies (within the meaning of section 56 of the Housing Act 1980); and”.

7 Section 37 applies as if for subsections (2) and (3) there were substituted the following subsection—

“(2) The said amount shall be [<sup>F2</sup>the product of the appropriate multiplier and] the rateable value of the holding.”.

#### Textual Amendments

**F2** Words inserted by [Housing and Planning Act 1986 \(c. 63, SIF 61\), s. 13\(4\)](#)

[<sup>F3</sup>7A The power to prescribe a multiplier conferred by sub-section (8) of that section includes power to prescribe a multiplier in relation to assured tenancies different from that prescribed in relation to other tenancies to which Part II of the <sup>M1</sup>Landlord and Tenant Act 1954 applies. ]

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#### Textual Amendments

**F3** Para. 7A inserted by [Local Government, Planning and Land Act 1980 \(c. 65, SIF 81:1\)](#), s. 193, [Sch. 33 para. 14](#)

#### Marginal Citations

**M1** [1954 c. 56\(75:1\)](#).

- [<sup>F4</sup>8 Section 38 applies as if the following provisions were omitted—
- (a) in subsection (1), the words “(except as provided by subsection (4) of this section)”;
  - (b) in subsection (2), the words from the beginning to the end of paragraph (b);
  - (c) subsections (3) and (4).]

#### Textual Amendments

**F4** Para. 8 substituted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), s. 13(7)

- 9 Section 63(7)(a) applies as if reference to section 23(3) of the Act of 1954 were a reference to paragraph 3 of this Schedule.

PROSPECTIVE

## SCHEDULE 6

Section 59.

### APPLICATIONS FOR REGISTRATION OF RENT

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

**C1** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 1 Schedule 11 to the 1977 Act (applications for registration of rent) is amended as follows.
- 2 For paragraphs 2 and 3 there are inserted the following paragraphs—
- “2 (1) Where the application is made jointly by the landlord and the tenant and it appears to the rent officer, after making such inquiry, if any, as he thinks fit and considering any information supplied to him in pursuance of paragraph 1 above, that the rent specified in the application is a fair rent, he may register that rent without further proceedings.
- (2) Where the rent officer registers a rent under this paragraph he shall notify the landlord and the tenant accordingly.
- 3 (1) In the case of an application which does not fall within paragraph 2 above, the officer shall serve on the landlord and on the tenant a notice—

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- (a) stating the rent specified in the application ;
  - (b) stating any sum specified in the application in accordance with section 67(2)(b) of this Act ; and
  - (c) inviting the person on whom the notice is served to state, within a period of not less than seven days after the service of the notice, whether he wishes the rent officer to consider, in consultation with the landlord and the tenant, what rent ought to be registered for the dwelling-house.
- (2) Where, in pursuance of section 67(2)(b), the application was accompanied by details of the landlord’s expenditure in connection with the provision of services, a notice under this paragraph shall be accompanied by a copy of those details.
- 3A If, after service of a notice by the rent officer under paragraph 3 above, no request is made within the period specified in the notice for the rent to be considered as mentioned in paragraph 3(1)(c) above, the rent officer after considering what rent ought to be registered or, as the case may be, whether a different rent ought to be registered, may—
- (a) determine a fair rent and register it as the rent for the dwelling-house ; or
  - (b) confirm the rent for the time being registered and note the confirmation in the register ; or
  - (c) serve a notice under paragraph 4(2) below.”
- 3 For sub-paragraph (1) of paragraph 4 there is substituted the following sub-paragraph—
- “(1) Where, in response to a notice served by the rent officer under paragraph 3 above, the landlord or the tenant asks for the rent to be considered as mentioned in paragraph 3(1)(c), the rent officer shall serve a notice under this paragraph.”.
- 4 In sub-paragraph (2) of paragraph 4, for the word “ notice” there are inserted the words “ notice, or 14 days in a case falling within paragraph 3(1)(b) above”.
- 5 After sub-paragraph (3) of paragraph 4 there is inserted the following sub-paragraph—
- “(4) The rent officer may, where he considers it appropriate, arrange for consultations in respect of one dwelling-house to be held together with consultations in respect of one or more other dwelling-houses.”
- 6 In paragraph 5, for the words “ and shall”, immediately after sub-paragraph (b), there is substituted—
- “5A Where a rent has been registered or confirmed by the rent officer under paragraph 3A or 5 above, he shall.”
- 7 In paragraph 6(1) for “ 5” there is substituted “ 5A”.

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## SCHEDULE 7

Section 66.

### AMENDMENT OF SCHEDULE 15 TO 1977 ACT

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

- C2** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

The following new Part is inserted at the end of Schedule 15 to the 1977 Act (grounds for possession of dwelling-houses let on or subject to protected or statutory tenancies)—

#### **“PART V**

##### *Provisions applying to Cases 11, 12 and 20*

- 1 In this Part of this Schedule—
- “mortgage” includes a charge and “mortgagee” shall be construed accordingly ;
  - “owner” means, in relation to Case 11, the owner-occupier ; and
  - “successor in title” means any person deriving title from the owner, other than a purchaser for value or a person deriving title from a purchaser for value.
- 2 The conditions referred to in paragraph (c) in each of Cases 11 and 12 and in paragraph (e)(ii) of Case 20 are that—
- (a) the dwelling-house is required as a residence for the owner or any member of his family who resided with the owner when he last occupied the dwelling-house as a residence ;
  - (b) the owner has retired from regular employment and requires the dwelling-house as a residence ;
  - (c) the owner has died and the dwelling-house is required as a residence for a member of his family who was residing with him at the time of his death ;
  - (d) the owner has died and the dwelling-house is required by a successor in title as his residence or for the purpose of disposing of it with vacant possession ;
  - (e) the dwelling-house is subject to a mortgage, made by deed and granted before the tenancy, and the mortgagee—
    - (i) is entitled to exercise a power of sale conferred on him by the mortgage or by section 101 of the Law of Property Act 1925 ; and
    - (ii) requires the dwelling-house for the purpose of disposing of it with vacant possession in exercise of that power ; and
  - (f) the dwelling-house is not reasonably suitable to the needs of the owner, having regard to his place of work, and he requires it for the purpose of disposing of it with vacant possession and of using the proceeds of that disposal in acquiring, as his residence, a dwelling-house which is more suitable to those needs.”

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## SCHEDULE 8

### CROWN ESTATE AND DUCHIES—CONSEQUENTIAL PROVISIONS

#### PART I

##### *Rent Act 1977*

- 1       Where a tenancy granted before the commencement of section 73 of this Act becomes, or would but for its low rent become, a protected tenancy by virtue of that section, section 5 of the 1977 Act applies as if in relation to the dwelling-house the appropriate day were the commencement of that section.
- 2       In Part I of Schedule 15 to the 1977 Act the following is inserted after paragraph (b) of Case 6 :
- “(bb) the commencement of section 73 of the Housing Act 1980, in the case of a tenancy which became a regulated tenancy by virtue of that section.”

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

**C3** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 3       In Part II of Schedule 15 to the 1977 Act any reference to the relevant date shall (notwithstanding paragraph 2 of Part III of that Schedule) be construed, in the case of a tenancy which becomes a regulated tenancy by virtue of section 73 of this Act as meaning the date falling six months after the passing of this Act.
- 4       (1) Part II of Schedule 18 to the 1977 Act applies to a tenancy which becomes a regulated tenancy by virtue of section 73 of this Act (unless it is a tenancy falling within sub-paragraph (2) below).
- (2) Nothing in Part IX of the 1977 Act applies to the assignment, before the end of the year 1990, of a tenancy which falls within this sub-paragraph; and a tenancy falls within this sub-paragraph if it was granted for a term certain and its terms do not inhibit both the assignment and the underletting of the whole of the premises comprised in the tenancy, and either—
- (a) it was granted before the commencement of section 73 of this Act and became a regulated tenancy by virtue of that section; or
- (b) it is a regulated tenancy by virtue of that section and was granted to a person who, at the time of the grant, was the tenant of the premises comprised in it under a regulated tenancy which also fell within this sub-paragraph.
- (3) For the purposes of sub-paragraph (2) above the terms of a tenancy inhibit an assignment or underletting if they—
- (a) preclude it; or
- (b) permit it subject to a consent but exclude section 144 of the <sup>M2</sup>Law of Property Act 1925 (no payment in nature of fine); or

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- (c) permit it subject to a consent but require in connection with a request for consent the making of an offer to surrender the tenancy.

**Marginal Citations**

M2 1925 c. 20(98:1).

**PART II**

*<sup>M3</sup>Rent (Agriculture) Act 1976*

**Marginal Citations**

M3 1976 c. 80(75:3).

- 5 Where the question whether a person is a qualifying worker for the purposes of the Rent (Agriculture) Act 1976 arises by virtue of section 73 of this Act, Part II of Schedule 3 to that Act applies as if the date of operation for forestry workers were the commencement of that section.
- 6 Where a protected occupancy or statutory tenancy within the meaning of the Rent (Agriculture) Act 1976 arises at the commencement of section 73 of this Act, Cases VIII and X in Schedule 4 to that Act apply in relation to it as if the operative date were that commencement.
- 7 For the purpose of determining whether, at the commencement of section 73 of this Act, a person becomes a statutory tenant for the purposes of the Rent (Agriculture) Act 1976 and of applying that Act to him if he does, paragraph 3 of Schedule 9 to that Act applies as if the operative date were that commencement.
- 8 Paragraphs 6 and 7 above apply in relation to forestry workers as they apply in relation to other persons and paragraph 7 of Schedule 9 to the Rent (Agriculture) Act 1976 does not apply.

**PART III**

*General*

- 9 Where an interest belongs to Her Majesty in right of the Duchy of Lancaster, then, for the purposes of Part I of the <sup>M4</sup>Landlord and Tenant Act 1954, the Rent (Agriculture) Act 1976 or the 1977 Act, the Chancellor of the Duchy of Lancaster shall be deemed to be the owner of the interest.

**Marginal Citations**

M4 1954 c. 56(75:1).

- 10 Where an interest belongs to the Duchy of Cornwall, then, for the purposes of Part I of the Landlord and Tenant Act 1954, the Rent (Agriculture) Act 1976 or the 1977

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Act, the Secretary of the Duchy of Cornwall shall be deemed to be the owner of the interest.

## SCHEDULE 9

### PROVISIONS SUPPLEMENTING SECTION 74

1 Paragraphs 2 to 6 below apply to any tenancy which was a protected or statutory  
 tenancy but which, by virtue of the landlord becoming a “housing trust” within the  
 meaning of section 15 of the 1977 Act, has ceased to be such a tenancy.

2 ..... <sup>F5</sup>

#### Textual Amendments

**F5** Sch. 9 para. 2 repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140, **Sch. 18**

3 Registration of a rent, or of a different rent, for the dwelling-house shall be effected  
 in pursuance of section 87 of the 1977 Act; but until such time as a rent is so  
 registered—

- (a) the rent recoverable under the tenancy; and
- (b) where a rent was registered for the dwelling-house under Part IV of the  
 1977 Act, the time at which an application for a different registered rent  
 may be made;

shall be determined as if the tenancy had continued to be a regulated tenancy.

4 If the tenant was a successor within the meaning of Schedule 1 to the 1977 Act he  
 shall not be treated as a successor for the purposes of [<sup>F6</sup>Part IV of the Housing Act  
 1985 (secure tenancies)].

#### Textual Amendments

**F6** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 44(4)(a)**

5 [<sup>F7</sup>Section 83 [<sup>F8</sup>or 83ZA] of the Housing Act 1985 (notice of proceedings for  
 possession)] does not apply in any case where proceedings for possession were  
 begun before the tenancy ceased to be a protected or statutory tenancy; but in  
 such a case the court shall allow the parties to take such steps in relation to the  
 proceedings as it considers appropriate in consequence of the tenancy becoming a  
 secure tenancy.

#### Textual Amendments

**F7** Words substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 4, **Sch. 2 para. 44(4)(b)**

**F8** Words in [Sch. 9 para. 5](#) inserted (20.10.2014 for E., 21.10.2014 for W.) by [Anti-social Behaviour, Crime and Policing Act 2014 \(c. 12\)](#), s. 185(1)(2)(c)(3)(c), **Sch. 11 para. 2** (with ss. 21, 33, 42, 58, 75, 93); S.I. 2014/2590, art. 2(h); S.I. 2014/2830, art. 2(g)(i)

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- 6 (1) This paragraph applies in any case where—
- (a) the tenant died before the date on which the tenancy ceased to be a protected or statutory tenancy; and
  - (b) there was then more than one member of his family entitled to succeed him as statutory tenant but no decision had, by that date, been reached as to which of them was to succeed.
- (2) In a case to which this paragraph applies, the person who is to be the secure tenant of the dwelling-house on the tenancy becoming a secure tenancy shall be selected by the landlord from among those mentioned in sub-paragraph (1)(b) above notwithstanding that the question may have been referred to the county court in accordance with paragraph 1(7) of Schedule 1 to the 1977 Act.

## SCHEDULE 10

Section 77.

### AMENDMENT OF PART VI OF RENT ACT 1977

- 1 (1) Section 86 of the 1977 Act is amended as follows.
- (2) In subsection (2) after the word “ tenancy”, where it first occurs, there are inserted the words “ (other than a co-ownership tenancy)”.
- (3) ..... F9
- (4) After subsection (3) there is inserted the following subsection—
- “(3A) For the purposes of this section a tenancy is a “ co-ownership tenancy” if—
- (a) it was granted by a housing association which falls within section 15(3)(d) of this Act ; and
  - (b) the tenant (or his personal representatives) will, under the terms of the tenancy agreement or of the agreement under which he became a member of the association, be entitled, on his ceasing to be a member and subject to any conditions stated in either agreement, to a sum calculated by reference directly or indirectly to the value of the dwelling house.”.
- (5) For subsection (4) there is substituted the following subsection—
- “(4) In this Part of this Act “ housing trust” has the same meaning as in section 15 of this Act.”.

#### Textual Amendments

**F9** Sch. 10 para. 1(3) repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

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

**C4** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

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2 ..... F10

**Textual Amendments**

**F10** Sch. 10 para. 2 repealed by Housing Act 1988 (c. 50, SIF 61), s. 140, Sch. 18

3 Sections 90 (special rent limit where previous rent limit exceeds registered rent) and 91 (procedure on application to Secretary of State under section 90) of the 1977 Act are hereby repealed.

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

**C5** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

4 In section 92 (conversion of housing association tenancies into regulated tenancies) in subsection (1) the words “ in such form as may be prescribed” are hereby repealed.

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

**C6** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

5 (1) Section 93 of the 1977 Act (increase of rent without notice to quit) is amended as follows.

(2) In subsection (1), for the words from “ given by the landlord” to the end there are substituted the words “ specifying the date on which the increase is to take effect and given by the landlord to the tenant not later than four weeks before that date.”

(3) For subsection (2) there is substituted the following subsection—

“(2) Where a notice of increase is given under subsection (1) above and the tenant, before the date specified in the notice of increase, gives a valid notice to quit, the notice of increase does not take effect unless the tenant, with the written agreement of the landlord, withdraws his notice to quit before that date.”

(4) Subsection (3) is hereby repealed.

(5) This paragraph only applies to notices of increase given after the commencement of this paragraph.

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

**C7** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted:

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## <sup>F11</sup> SCHEDULES 11—13

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### Textual Amendments

**F11** Schs. 11–13 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

## <sup>F12</sup> SCHEDULE 14

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### Textual Amendments

**F12** Sch. 14 repealed by [Finance Act 1982 \(c. 39, SIF 63:1\)](#), s. 157, [Sch. 22 Pt. V](#) Note

## <sup>F13</sup> SCHEDULE 15

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### Textual Amendments

**F13** Sch. 15 repealed by [Social Security and Housing Benefits Act 1982 \(c. 24, SIF 113:1\)](#), s. 48(6), [Sch. 5](#)

## <sup>F14</sup> SCHEDULES 16—20

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### Textual Amendments

**F14** Schs. 16–20 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1](#)

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## SCHEDULE 21

Section 141.

### AMENDMENTS OF LEASEHOLD REFORM ACT 1967 (C. 88) AND HOUSING ACT 1974 (C. 44), SCHEDULE 8

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

- C8** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

1 **F15** .....

#### Textual Amendments

- F15** Sch. 21 para. 1 repealed (26.7.2002 for E., 1.1.2003 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 180, [Sch. 14](#); [S.I. 2002/1912](#), [art. 2\(b\)\(ii\)](#), Sch. 1 Pt. 3 (subject to savings in [Sch. 2](#)); [S.I. 2002/3012](#), [art. 2\(b\)\(ii\)](#), Sch. 1 Pt. 3 (subject to savings in [Sch. 2](#))

- 2 For section 1(4A) of the 1967 Act (reduction of rateable value in consequence of tenants' improvements), substitute—

“(4A) Schedule 8 to the Housing Act 1974 shall have effect to enable a tenant to have the rateable value of the house and premises reduced for purposes of this section in consequence of tenant's improvements.”

**F163** .....

#### Textual Amendments

- F16** Sch. 21 para. 3 repealed (1.11.1993) by 1993, c. 28, s. 187(2), Sch. 22; [S.I. 1993/2134](#), [art. 5\(a\)](#)

- 4 In section 16 of the 1967 Act (exclusion of rights which would otherwise accrue under extending tenancies), after subsection (1) insert—

“(1A) The Rent Act 1977 shall not apply to a tenancy extended under section 14 above ; but if when this provision comes into force a rent is registered under Part IV of the 1977 Act for a dwelling-house which is the subject of an extended tenancy, the tenant shall not be obliged to pay more than the registered rent under the extended tenancy until the next rental period (within the meaning of the 1977 Act) after the landlord has served on him a notice in writing that the registered rent no longer applies.”

- 5 In section 29 of the 1967 Act (reservation of future right to develop), after subsection (6A) insert—

“(6B) Where the landlord is a university body, the possible development for which land may be reserved by a covenant entered into to give effect to subsection (1) or (2) above includes development by a related university body (within the meaning of section 28(6)(b) above”

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6 In paragraph 7(1)(b) of Schedule 1 to the 1967 Act, at the beginning insert “ subject to paragraph 7A”, omit “ (subject to paragraph 8 below)” and after paragraph 7 insert—

“7A (1) The price payable for a minor superior tenancy shall be calculated (except where it has been determined by agreement or otherwise before this paragraph comes into force ) by applying the formula set out in sub-paragraph (5) instead of in accordance with section 9.

(2) “A minor superior tenancy” means a superior tenancy having an expectation of possession of not more than one month and in respect of which the profit rent is not more than £5 per year.

(3) “Profit rent” means an amount equal to that of the rent payable under the tenancy on which the minor superior tenancy is in immediate reversion, less that of the rent payable under the minor superior tenancy.

(4) Where the minor superior tenancy or that on which it is in immediate reversion comprises property other than the house and premises, the reference in sub-paragraph (3) to the rent payable under it means so much of that rent as is apportioned to the house and premises.

(5) The formula is—

$$P = \pounds \frac{R}{Y} - \frac{R}{Y(1 + Y)}$$

where—

P=the price payable;

R=the profit rent;

Y=the yield (expressed as a decimal fraction) from 2½ per cent. Consolidated Stock ;

n=the period, expressed in years (taking any part of a year as a whole year) which the minor superior tenancy would have to run if it were not extinguished by enfranchisement.

(6) In calculating the yield from 2½ per cent. Consolidated Stock, the price of that stock shall be taken to be the middle market price at the close of business on the last trading day in the week before the tenant gives notice in accordance with this Act of his desire to have the freehold.”

PROSPECTIVE

7 In paragraph 6(1)(b) of Schedule 3 to the 1967 Act (particulars to be included in tenants’ notices of desire to have freehold or extended lease), after “ show that” insert “ (i)”, and at the end insert—

“(ii) at the material time the rateable value was within the limits specified for the purposes of section 1; .”

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*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

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- 8 In Schedule 8 to the 1974 Act (procedure for obtaining reduction of rateable value for purposes of the 1967 Act)—
- (a) in paragraph 1(1) (notice to landlord requiring agreement to reduction), for “ subsection (1) of section 1 of this Act” substitute “ section 1 of the Leasehold Reform Act 1967 ” ;
  - (b) in paragraph 2(2)(determinations by county court), omit from “ and any such determination” onwards ;
  - (c) in paragraph 3(2)(a) (valuation officer’s certificate) for “ subsection (1) of section 1 of this Act” substitute “ section 1 of the Leasehold Reform Act 1967 ”;
  - (d) after paragraph 3 insert—
    - “4 Where a notice under paragraph 1 of this Schedule is served on or after 21st December 1979, the tenant shall bear the reasonable costs incurred by the landlord in investigating any matter specified in it.”
  - (e) in paragraph 2 of the second Form set out in the Schedule, for the words “ Schedule Seven to the Leasehold Reform Act 1967” substitute “ Schedule 8 to the Housing Act 1974 ”, and in paragraph 3 of that Form for “ Seven” substitute “ 8 ”.

## SCHEDULE 22

Section 142.

### LEASEHOLD VALUATION TRIBUNALS

#### <sup>F17</sup>PART I

#### SUPPLEMENTARY PROVISIONS

.....

##### **Textual Amendments**

- F17** Sch. 22 Pt. 1 repealed (30.9.2003 for E., 30.3.2004 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), [Sch. 14](#); S.I. 2003/1986, art. 2(c)(iv), [Sch. 1 Pt. 1](#) (with Sch. 2); S.I. 2004/669, art. 2(c)(iv), [Sch. 1 Pt. 1](#) (with Sch. 2)

#### PART II

#### AMENDMENTS OF 1967 ACT

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

- C9** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

- 8 (1) In section 21(1) (jurisdiction of Lands Tribunal) for “ the Lands Tribunal” substitute “ a leasehold valuation tribunal”.
- (2) After section 21(1) insert—
- “(1A) An application to a leasehold valuation tribunal under subsection (1) above must be in the prescribed form and contain the prescribed particulars.
- (1B) No application may be made to a leasehold valuation tribunal under subsection (1) above to determine the price for a house and premises unless either—
- (a) the landlord has informed the tenant of the price he is asking ; or
- (b) two months have elapsed without his doing so since the tenant gave notice of his desire to have freehold this Part of this Act.”.
- (3) In section 21(2), for “ the Lands Tribunal” substitute “ a leasehold valuation tribunal” and for “ the Tribunal” substitute “ a tribunal”.
- <sup>F18</sup>(4) .....
- <sup>F18</sup>(5) .....
- <sup>F18</sup>(6) .....
- (7) Section 21(5) (costs of proceedings before Lands Tribunal) is repealed.

**Textual Amendments**

**F18** Sch. 22 para. 8(4)-(6) repealed (30.9.2003 for E., 30.3.2004 for W.) by [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), s. 181(1), [Sch. 14](#); S.I. 2003/1986, art. 2(c)(iv), Sch. 1 Pt. 1 (with Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 1 (with Sch. 2)

- 9 In section 31(2)(a) (consent of Church Commissioners required to provisions of conveyance) after “ the court” insert “ a leasehold valuation tribunal”.
- 10 In paragraph 5(3) of Schedule 1 (price for intermediate leasehold interests) for “ the Lands Tribunal” (twice) substitute “ a leasehold valuation tribunal”.
- 11 In paragraph 2(2) of Schedule 2 (compensation payable to tenant for loss of house and premises) for “ the Lands Tribunal” substitute “ a leasehold valuation tribunal”.
- 12 Paragraph 8(2) of Schedule 2 (costs of proceedings before Lands Tribunal) is hereby repealed.

<sup>F19</sup> SCHEDULES 23—24

**Textual Amendments**

**F19** Schs. 23, 24 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

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*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

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## SCHEDULE 25

Section 152.

### MINOR AND CONSEQUENTIAL AMENDMENTS, TRANSITIONAL PROVISIONS AND SAVINGS

#### PART I

#### MINOR AND CONSEQUENTIAL AMENDMENTS

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

**C10** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

*Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

1 In section 15 of the Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (protection of tenure of furnished, and certain other, rented premises by extension of provisions of the 1977 Act applying to restricted contracts) there is inserted, after subsection (1), the following subsection—

“(1A) This section does not apply in relation to any tenancy entered into after the commencement of section 69(2) of the Housing Act 1980.”

2 In section 16 of the Act of 1951 (protection of tenure of rented premises not within section 15, by extension of the Rent Acts) for subsections (4) to (7) there are substituted the following subsections—

“(4) The rent for any rental period shall be the amount payable for the last rental period of the tenancy qualifying for protection but subject to adjustment from time to time in accordance with section 46 or 47 of the Rent Act 1977 (adjustment, with respect to rates, services and furniture, of recoverable rent for statutory periods before registration).

(5) Subsection (4) above has effect subject to any agreement between the parties for the payment of a lower rent ; and where a lower rent is agreed it shall not be increased in accordance with section 46 or 47 of the Act of 1977 but may, notwithstanding anything in any other enactment, be increased by agreement in writing between the parties up to the amount payable under subsection (4) above.”

3 In sections 17 and 18 of the Act of 1951 (which relate respectively to premises which include accommodation shared otherwise than with the landlord and to premises occupied in connection with employment under a licence or a rent-free letting) in each case in subsection (2) for the words “ to (7)” there are substituted the words “ and (5)”.

*Housing Act 1957 (c. 56)*

4 Section 5 of the 1957 Act (prohibition of back-to-back houses) is hereby repealed.

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

5 In section 96 of the 1957 Act, in paragraph (d) the words “ by them”, and paragraph (e), are hereby repealed.

6 In section 119(3) of the 1957 Act (financial assistance for housing associations) the words from “ with the consent” to “ the Minister” and the words from “ The Ministers power” to the end are hereby repealed.

7—9 ..... F20

**Textual Amendments**

**F20** Sch. 25 Pt. I paras. 7–9 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pt. I**

10 ..... F21

**Textual Amendments**

**F21** Sch. 25 Pt. I para. 10 repealed by Supreme Court Act 1981 (c. 54, SIF 37), s. 152(4), **Sch. 7**

11—13 ..... F22

**Textual Amendments**

**F22** Sch. 25 Pt. I paras.11–13 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1**

14 ..... F23

**Textual Amendments**

**F23** Sch. 25 Pt. I para. 14 repealed by Matrimonial Homes Act 1983 (c. 19, SIF 49:5), s. 12, **Sch. 3**

15—17 ..... F24

**Textual Amendments**

**F24** Sch. 25 Pt. I paras.15–17 repealed by Matrimonial Homes and Property Act 1981 (c. 24, SIF 49:5), s. 10(2), **Sch. 3**

18, 19 ..... F25

**Textual Amendments**

**F25** Sch. 25 Pt. I paras. 18, 19 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, **Sch. 1 Pts. I, III**

20—31 ..... F26

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

**Textual Amendments**

**F26** Sch. 25 Pt. I paras. 20–31 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1](#)

*Rent (Agriculture) Act 1976 (c. 80)*

32 In section 7 of the Rent (Agriculture) Act 1976, at the end of subsection (6) (definition of “tenant”), there are added the words “and “tenancy” shall be construed accordingly”.

33 In section 13 of the Act of 1976 (application for registration of rent)—  
 (a) for the words “three years” in subsection (7) there are substituted the words “two years” ; and  
 (b) in subsection (3) for the words “Schedule 7” there are substituted the words “Schedule 12”.

*Rent Act 1977 (c.42)*

34 ..... **F27**

**Textual Amendments**

**F27** Sch. 25 Pt. I para. 34 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

35 Sections 18(4) and 115 of the 1977 Act (modification of Act in cases where controlled tenancies converted into regulated tenancies) are hereby repealed ; and in that Act, after section 18, there is inserted the following section—

**“18A Modification of Act for controlled tenancies converted into regulated tenancies.**

Schedule 17 to this Act applies for the purpose of modifying the provisions of this Act in relation to a tenancy which, by virtue of any of the following enactments, was converted from a controlled tenancy into a regulated tenancy, that is to say—

- (a) section 18(3) of this Act ;
- (b) paragraph 5 of Schedule 2 to the Rent Act 1968 (which was superseded by section 18(3));
- (c) Part VIII of this Act ;
- (d) Part III of the Housing Finance Act 1972 (which was superseded by Part VIII) ;
- (e) Part IV of the Act of 1972 (conversion by reference to rateable values) ;
- (f) section 64 of the Housing Act 1980 (conversion of remaining controlled tenancies into regulated tenancies).”

36 ..... **F28**

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

**Textual Amendments**

**F28** Sch. 25 Pt. I para. 36 repealed by Housing Act 1988 (c. 50, SIF 61), s. 140, Sch. 18

37 In section 45(4) of the 1977 Act, for the words “ to 48” there are substituted the words “ and 47”.

38 In section 49 of the 1977 Act, for the words “ 46(2) or 48(3)” there are substituted the words “ or 46”.

39 In section 55 of the 1977 Act (general provisions for phasing of rent increases), in subsection (3), for paragraph (b) there is substituted the following paragraph—  
“(b) the provisions of section 89 of this Act do not apply to it ; and”

40 In sections 68(4), 69(1)(b)(ii), and (4), 73(1)(a), and 88(4)(b) of the 1977 Act for the words “ three years” and “ 3 years” wherever occurring there are substituted the words “ 2 years”.

This paragraph does not apply in any case where, on the determination or confirmation of a rent by the rent officer, the rent determined by him is registered, or his confirmation is noted in the register, before the commencement of this paragraph.

41 In section 70(3) of the 1977 Act (matters to be disregarded in determining fair rent) paragraphs (c) and (d) are hereby repealed.

42 In section 78(5) of the 1977 Act, for the words “ subsection (1)” there are substituted the words “ subsection (2)”.

43 In section 79 of the 1977 Act—  
(a) in subsection (1) for the words “ local authority” there are substituted the words “ president of every rent assessment panel” ;  
(b) in subsection (2) for the words “ local authority” there are substituted the words “ rent assessment panel” ;  
(c) subsection (4) is hereby repealed ; and  
(d) in subsection (5) for the words “ local authority” there are substituted the words “ president of the rent assessment panel concerned”.

44 In section 79 of the 1977 Act there is inserted, at the end, the following subsection—  
“(6A) Every local authority shall, before the expiry of the period of three months beginning with the commencement of paragraph 44 of Schedule 25 to the Housing Act 1980, send to the president of the appropriate rent assessment panel the register previously kept by the authority under this section.”

45 In section 85 of the 1977 Act—  
(a) in the definition of “ register” for the words “ local authority” there are substituted the words “ president of the rent assessment panel concerned” ; and  
(b) in the definition of “ rent tribunal” for the words from “ has” onwards there are substituted the words “ shall be construed in accordance with section 72 of the Housing Act 1980”.

46 ..... F29

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

### Textual Amendments

**F29** Sch. 25 Pt. I para. 46 repealed by Housing Act 1988 (c. 50, SIF 61), s. 140, Sch. 18

47 (1) Section 116 of the 1977 Act (provision where tenant refuses to allow landlord to carry out works) is amended as follows.

(2) For subsection (1) there is substituted the following subsection—

“(1) This section applies where a dwelling-house is subject to a statutory tenancy and the landlord wishes to carry out works which cannot be carried out without the consent of the tenant.”

(3) For subsection (3) there is substituted the following subsection—

“(3) The condition is—

- (a) that the works were specified in an application for an improvement, or intermediate, grant under Part VII of the Housing Act 1974 and the application has been approved, or
- (b) that the works are specified in a certificate issued by a local authority and stating that if an application were to be made by the landlord for such a grant in respect of the works, the application would be likely to be approved.”

(4) In subsection (5) the words “ sections 4(4) or 10 of the Housing Act 1969 or” are hereby repealed.

48 In section 129(1) of the 1977 Act (mortgages to which Part X applies), for paragraph (b) there is substituted the following paragraph—

“(b) are regulated mortgages as defined in section 131 of this Act.”

49 In section 132(1) of the 1977 Act (powers of court to mitigate hardship to mortgagors under regulated mortgages), for the words from “ relate only” to “ such a mortgage” there are substituted the words “ become exercisable, in relation to a regulated mortgage,”.

50 In section 136 of the 1977 Act (interpretation of Part X), in paragraph (b) for the words from “ and mortgage” to “ include” there is substituted the word “ includes”.

51 Section 138(3) of the 1977 Act (effect on furnished sub-tenancy of determination of superior unfurnished tenancy) shall have effect, and be deemed always to have had effect, as if for the words from “ meaning” to the end there were substituted the words “ same meaning as it has for the purposes of section 137(2) of this Act”.

52 In section 145 of the 1977 Act (which limits the rent recoverable under tenancies of certain subsidised private houses), for subsections (3) and (4) (which apply to conditions limiting the rent under controlled tenancies) and subsection (5) (which applies Schedule 21 to that Act to conditions limiting the rent under other tenancies) there are substituted the following subsections—

“(3) If any condition to which this section applies limits the rent under a tenancy, the condition shall limit, or have effect as if it limited, the rent—

- (a) if the tenancy is a regulated tenancy which is not a converted tenancy within the meaning of Schedule 17 to this Act, to the rent which would be recoverable if the tenancy had been converted from being

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- a controlled tenancy upon the commencement of section 64 of the Housing Act 1980 and accordingly as if it were a converted tenancy ;
- (b) if the tenancy is a converted tenancy, or a housing association tenancy within the meaning of Part VI of this Act, to the rent recoverable under this Act ;
- (c) if the tenancy is a protected occupancy or statutory tenancy within the meaning of the Rent (Agriculture) Act 1976, to the rent recoverable in accordance with that Act ; and
- (d) in any other case, to such rent as may from time to time be, or have been, agreed between the landlord and the local authority or as may, in default of agreement, be or have been determined by the Secretary of State.
- (4) Subject to subsection (5) below, in subsection (3) above “ local authority”, in relation to any premises, means the council of the London borough or district in which the premises are situated or, if they are situated in the City of London, the Common Council of the City of London.
- (5) In the case of houses the construction of which was promoted by the Greater London Council or in respect of which improvement grants were made by that council under the Housing (Financial Provisions) Act 1958, the reference in subsection (3) above to the local authority shall be construed as a reference to the Greater London Council.”
- 53 In section 149 of the 1977 (powers of local authorities for purposes of giving information), in subsection (1)(a), for sub-paragraph (iii) there is substituted the following sub-paragraph—
- “(iii) Part II, and section 136, of the Housing Act 1980 ;”
- 54 In section 153(1) of the 1977 Act (application to Isles of Scilly), for the words “ 103 to 106” there are substituted the words “ 102A to 106A”.
- 55 Section 155(1) of the 1977 Act (which modifies provisions of that Act in relation to certain old controlled tenancies) is hereby repealed.
- 56 In Schedule 10 to the 1977 Act (rent assessment committees)—
- (a) in paragraph 2 the words from “ and, if the Secretary of State” to the end ; and
- (b) paragraph 10 ;
- are hereby repealed.
- 57 In Schedule 15 to the 1977 Act (grounds for possession of dwelling-houses), in paragraph (i) in Case 9, for the words “ controlled tenancy” there are substituted the words “ tenancy which was then a controlled tenancy”.
- Case 9 has effect, as so amended, in relation to any tenancy which was a controlled tenancy on the date mentioned in paragraph (i) notwithstanding that it ceased to be a controlled tenancy before the commencement of this paragraph.
- 58 In Schedule 15 to the 1977 Act, in paragraph 4 in Part IV, for the words “ paragraph 1” there are substituted the the words “ paragraph 3”, at the end of paragraph (a) there are inserted the words “ (other than one under which the landlord might recover possession of the dwelling-house under one of the Cases in Part II of this Schedule)”, and at the end of paragraph (b) there are inserted the words “ of a kind mentioned in paragraph (a) above”.

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- 59 In Schedule 17 to the 1977 Act (modification of Act where controlled tenancy converted into into regulated tenancy)—
  - (a) in the definition of “ converted tenancy”, for paragraphs (a) and (b) there are substituted the words “ any of the enactments mentioned in section 18A of this Act”; and
  - (b) paragraphs 3 and 4 are hereby repealed ; and
  - (c) in paragraph 7, for the words from the beginning to “ shall not” there are substituted the words “ None of the enactments mentioned in section 18A of this Act shall”.

- 60 In Schedule 24 to the 1977 Act (savings and transitional provisions)—
  - (a) in paragraph 6(4) for the words “ paragraph 1(1)” there are substituted the words “ paragraph 1(c)” ; and
  - (b) in paragraph 16 for the words “ sections 44(1), (2), 38 and 72(4)” there are substituted the words “ sections 44(1), 45(2), 57 and 72(7)”.

*Protection from Eviction Act 1977 (c. 43)*

- 61 The Protection from Eviction Act 1977 shall apply, where a person has been let into possession of a dwelling-house under the terms of a rental purchase agreement (within the meaning of section 88 of this Act) as if—
  - (a) the dwelling-house had been let to him as a dwelling under a tenancy which is not a statutorily protected tenancy (within the meaning of section 3 of that Act); and
  - (b) that tenancy had come to an end on the termination of the agreement or of his right to possession under it.

**PART II**

TRANSITIONAL PROVISIONS AND SAVINGS

62 ..... F30

**Textual Amendments**  
**F30** Sch. 25 Pt. II para. 62 repealed by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#), s. 3, [Sch. 1 Pt. I](#)

63 ..... F31

**Textual Amendments**  
**F31** Sch. 25 Pt. II para. 63 repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140, [Sch. 18](#)

64 Where the recoverable rent for any statutory period has been increased by a notice under section 48 of the 1977 Act, nothing in section 63 of this Act affects that increase or the operation of subsections (4) and (5) of section 48 in relation to the notice.

65 In a case where, by virtue of subsection (4) of section 52 of the 1977 Act, that section would not have applied to an agreement with a tenant having security of

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- tenure had it not been replaced by the section substituted by section 68(2) of this Act, the substituted section 52 shall also not apply in relation to that agreement.
- 66 The repeal by this Act of subsections (4) and (5) of section 54 of the 1977 Act does not affect the operation of those subsections in relation to defaults occurring before the commencement of section 68 of this Act.
- 67 Where, immediately before the commencement of section 69(4) of this Act, a tenancy was, by virtue of section 12(2)(b) of the 1977 Act, a protected tenancy and not a restricted contract, the 1977 Act shall continue to apply in relation to that tenancy as if section 69(4) had not been enacted.
- 68 The repeals made by section 74 of this Act in section 15 of the 1977 Act shall not affect any tenancy which was, immediately before the commencement of section 74(1), a protected, or statutory tenancy but which would, were it not for this paragraph, have ceased to be such a tenancy by virtue of the repeal of section 15(4) (f).
- 69 ..... F32

**Textual Amendments**  
**F32** Sch. 25 Pt. II paras. 69, 71, 74 and 76 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I

- 70 Any directions given by the Secretary of State under section 24(5) of the Housing Subsidies Act 1967 shall, if in force at the commencement of section 114 of this Act, continue in force as if given under subsection (1)(a) of section 114 until revoked or varied.
- 71 ..... F33

**Textual Amendments**  
**F33** Sch. 25 Pt. II paras. 69, 71, 74 and 76 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I

- 72 (1) This paragraph applies in relation to the exceptions in paragraphs 6 and 11 of Schedule 3 to this Act.
- (2) Notice given to a tenant at any time after 31st March 1980 but before the commencement of Schedule 3 shall be treated—
- (a) as duly given in accordance with paragraph 6(b)(ii) if it would have been so treated had paragraph 6 then been in force; or
  - (b) as duly given in accordance with paragraph 11(b) if it would have been so treated had paragraph 11, and the regulations first made under that paragraph designating courses, then been in force.
- 73 In relation to a tenancy (or licence) granted before 8th May 1980 Schedule 3 to this Act has effect as if the following paragraph were added at the end of it:
- “14 A tenancy is not a secure tenancy if—
- (a) the landlord is a charity within the meaning of the Charities Act 1960; and

*Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980. (See end of Document for details)*

- (b) before the tenancy was granted the tenant was informed in writing that the landlord intended to carry out works on the building or part of the building comprising the dwelling-house and could not reasonably do so without obtaining possession of the dwelling-house.”

74 ..... F34

#### Textual Amendments

**F34** Sch. 25 Pt. II paras. 69, 71, 74 and 76 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I

75 Section 5 of the 1977 Act (tenancies at low rents) shall continue not to apply to any tenancy which, immediately before the repeal by this Act of section 17 of the 1977 Act (categories of controlled tenancies) was a controlled tenancy by virtue of subsection (2) of section 17.

76 ..... F35

#### Textual Amendments

**F35** Sch. 25 Pt. II paras. 69, 71, 74 and 76 repealed by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), s. 3, Sch. 1 Pt. I

77 Section 90 of the 1977 Act continues to have effect, notwithstanding its repeal by this Act, in relation to any direction given by the Secretary of State under that section.

78 Paragraphs 3 and 4 of Schedule 17 to the 1977 Act continue to have effect, notwithstanding paragraph 59 of this Schedule, in relation to a notice of increase served under paragraph 4 before the commencement of paragraph 59.

## SCHEDULE 26

Section 152.

### REPEALS

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

**C11** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Chapter	Short title	Extent of repeal
1927 c. 36	The Landlord and Tenant Act 1927.	In section 16, the words “and shall be so recoverable notwithstanding anything in Part II of the Rent Act 1977”.

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1951 c. 65.	The Reserve and Auxilliary Forces (Protection of Civil Interests) Act 1951.	In section 16(2)(c) the words from “ and that” to the end.  Section 19(5).
1954 c. 56.	The Landlord and Tenant Act 1954.	Section 43(1)(c).
1957 c. 56.	The Housing Act 1957.	Section 5.  Section 43(4).  In section 91, the words from “ and as often” to the end.  Section 96(e).  Sections 105(1), (2) and (5) and 106.  Section 113(5).  In section 119(3), the words from “ with the consent” to “ the Minister” and the words from “ The Minister’s power” to the end.
1958 c. 42.	The Housing (Financial Provisions) Act 1958.	Sections 14 and 15.  In section 43(1), the words “ subject to such conditions as may be approved by the Minister”.  Section 45.
1959 c. 62.	The New Towns Act 1959.	Section 4(2) and (5).
1961 c. 65.	The Housing Act 1961.	Section 16.  Section 20.
1964 c. 56.	The Housing Act 1964.	Section 65(1A).  Section 66.  In Schedule 4, paragraph 2.
1967 c. 29.	The Housing Subsidies Act 1967.	In section 24, in subsection (2), the words “ in accordance with subsection (3) of this section”; in subsection (3), the words “ Subject to subsections (4) and (5) of this section”, and the words from “ and” (at the end of paragraph (c)) to

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		the end of subsection; and subsection (4), (5) and (5A).
		Section 24B.
		In section 26, in subsection (1)(b)(ii), the words from “ or the appropriate” to “ later”; in subsection (1)(b)(iii), the words “ or 1st April 1968, whichever is the later”; in subsection (2), paragraph (a), and the words from “ and except” onwards; and subsection (3).
		Section 26A.
		Section 28A.
1967 c. 88.	The Leasehold Reform Act 1967.	Section 21(5).
		In Schedule 1, in paragraph 7(1)(b), the words “ (subject to paragraph 8 below)”.
		in Schedule 2, paragraph 8(2).
1968 c. 72.	The Town and Country Planning Act 1968.	Section 39.
1969 c. 33.	The Housing Act 1969.	Section 28A.
		Section 29B.
		In section 30 the words “ but such a resolution shall be of no effect unless approved by the Minister”.
		In section 35, subsections (1) and (3), in subsection (4) the words “ the consent of the Minister under subsection (2) of this section”, subsection (5), in subsection (6) the words from “ with the approval” to “ particular case” and subsection (7).
		In section 38, the words from “ has been approved” to “ this Act”.
		Section 60.

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		Section 61(6).
		In section 86(5), the words “ and 37(7)”.
1970 c. 44.	The Chronically Sick and Disabled Persons Act 1970.	In section 3(1), the words from “ and any proposals” to the end.
1971 c. 62.	The Tribunals and Inquiries Act 1971.	In section 7(3) the words “ 28(a)” and the words from “ but” onwards.
		In section 13(1) the words “ (a) or”.
		In Schedule 1 paragraph 28(a).
1972 c. 5.	The Local Employment Act 1972.	In Schedule 3, the entry relating to the Housing Act 1971.
1972 c. 47.	The Housing Finance Act 1972.	Section 8.
		In section 20, in subsection (5), paragraph (d) and the words “ or (d)(ii)”, and in subsection (7) the words from “ section 19(8)” to “ Schedule 3 to this Act”.
		In section 24(5), the words “ or their allowance scheme, as may be appropriate” and the words from “ of Housing Revenue” to “ housing account dwellings”.
		In section 26(1), in the definition of “ allowance” the words from “ but also” to the end, in the definition of “ allowance scheme” the words from “ and includes” to the end, and the definition of “ housing account dwelling”.
		Sections 90 to 91A.
		In Schedule 3, Part II.
		In Schedule 4, in paragraph 1(3)(a) the words from “ Housing” to “ account”, in paragraph 14(1), subparagraph (a), in subparagraph (b) the words “ or

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		9” and sub-paragraph (f), and paragraphs 16 and 17.
1972 c. 70.	The Local Government Act 1972.	In Schedule 22, paragraph 2.
1973 c. 5.	The Housing (Amendment) Act 1973.	Section 1(1).
		Section 2.
1974 c. 44.	The Housing Act 1974.	In section 5(3), all after paragraph (f).
		In section 13, in subsection (4) the words from “ after consultation” to “ section 14 below” and the words “ after such consultation” and subsection (5)(a).
		Section 14.
		In section 19(1) the words from “ (who” to “ staff)”.
		Section 30(5).
		Section 31.
		In section 32, in subsection (1) the word “ annual”, and subsections (4) and (8).
		In section 33(6), the words “ before the expiry of that year”.
		In section 38(2)(a), the words “ and approved by the Secretary of State”.
		Section 42.
		Section 50.
		Sections 52 to 55.
		In section 56, in subsection (1)(d), the words “ by the provision of standard amenities”, and in subsection (2)(d), the words “ in a housing action area or a general improvement area”.
		In section 57(6), the words “ Except in so far as this Act

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		otherwise provides”, and paragraph (b).
		In section 62(3) the words from “ and different limits” to the end.
		Section 64(7).
		Section 67(2)(b) and (4).
		in section 71(3), paragraph (a).
		Section 79.
		In section 84, paragraph (b) of the definition of “ the relevant standard”.
		In section 104, the definitions of “ the full standard” and “ the reduced standard”.
		In section 114, in subsection (1) paragraph (c) and the word “ or” immediately preceding it and subsections (6) and (7).
		In Schedule 5, Part I, and in Part II, paragraph 4.
		In Schedule 8, in paragraph 2(2) the words from “ and any such determination” onwards.
		In Schedule 11, in paragraph 1, in sub-paragraph (2) the words following paragraph (b), sub-paragraph (3), and sub-paragraphs (5) and (6).
1975 c. 6.	The Housing Rents and Subsidies Act 1975.	Section 1(3).
		Section 2.
		Section 4.
		In Schedule 1, paragraphs 1 to 11, and 12(4)(a).
		In Schedule 5, paragraphs 8(3) and 18.
1975 c. 57.	The Remuneration Charges and Grants Act 1975.	Section 5.

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1975 c. 76.	The Local Land Charges Act 1975.	In Schedule 1, the entry relating to the Housing Act 1957.
1976 c. 68.	The New Towns (Amendment) Act 1976.	Section 9(4) to (6).
1976 c. 71.	The Supplementary Benefits Act 1976.	In Schedule 7, paragraph 28.
1976 c. 75.	The Development of Rural Wales Act 1976.	Section 18.  In section 22, the word “ 18”.
1976 c. 80.	The Rent (Agriculture) Act 1976.	In Schedule 5, paragraphs 1 to 6 and, in paragraph 7(3), the words “ or any element of a subsidy”.  In Schedule 4, in Case X, the words “ Part II”, where they first occur.  In Schedule 6, in paragraph 1 the definition of “ specified sum” and sub-paragraphs (2) and (3) and paragraph 7.
1977 c. 42.	The Rent Act 1977.	in section 5(1), the words “ subject to section 17(2) of this Act”.  In section 15, in subsection (1) the words from “ in respect” to “ is fulfilled” and subsections (4) and (6).  Section 17.  In section 18, in subsection (1) the words from “ which” to the end and subsections (3) and (4).  In section 19(5)(b), the words “ or of the Duchy of Lancaster or to the Duchy of Cornwall”.  In section 24, subsections (1) and (2).  Sections 27 to 43.  In section 44(1), the words “ Schedule 9”.

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In section 45(2), the words “ paragraph 8(4) of Schedule 9”.

Sections 48 and 50.

In section 51(3), paragraph (b) and the word “ and” immediately before it.

Section 53.

In section 54, in subsection (1) the words “ 52(6) or 53”, and subsections (4) and (5).

Section 56.

In section 61(1), the definition of “ improvement”.

Section 67(6).

Section 68(6).

In section 69(4) the words “ Subject to section 67(6) of this Act” and paragraph (b).

In section 70, in subsection (3), paragraphs (c) and (d) and subsection (5).

In section 71(3)(a), the words from “ subject to” to “ this Act”.

Section 76.

In section 77(1) the words “ for the district in question”.

In section 78(2) the words “ and the local authority”.

Section 79(4).

Section 84(a) and (b).

Section 86(5).

In section 87, subsections (3) to (5).

Sections 90 and 91.

In section 92, in subsection (1), the words “ in such form as may be prescribed”, in subsection (5) the definition of “ prescribed” and the word “ and”

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immediately before it, and subsections (6) and (7).

Section 93(3).

Section 96(1) and (2).

Sections 108 to 115.

In section 116, in subsection (5) the words “sections 4(4) or 10 of the Housing Act 1969 or”.

Section 117.

In section 118, in subsection (1) the words from “prescribed” to the end, and subsection (2).

Section 130.

In section 131(1), the words “but which is not a controlled mortgage”.

Sections 133 to 135.

In section 141, subsections (1)(c), (2) and (5)(a) and in subsection (1)(a) the words from “or whether a mortgage” to “of this Act”.

In section 150, the words from “(other” to “31(9))”.

In section 152(1), the definition of “controlled tenancy”.

Section 155(1).

In Schedule 1, paragraph 8.

In Schedule 2, paragraph (1)(c)(i).

Schedules 3, 4 and 6.

In Schedule 7, paragraph 4.

In Schedule 8, in paragraph 1 the definition of “specified sum” and sub-paragraphs (5) and (6) and paragraph 8.

Schedule 9.

In Schedule 10, in paragraph 2 the words from “and, if the

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Secretary of State” to the end and paragraph 10.

In Schedule 11, paragraphs 13, 14 and 15 to 25.

In Schedule 12, in paragraph 1(c) the words from “ (but” to “ Act)”, in paragraph 3 the words from “ in the case” to “ section” and in paragraph 9(1), paragraph (b) and the word “ or” immediately before.

Schedule 13.

In Schedule 14, paragraph 6.

in Schedule 15, in Case 6 paragraph (a), Case 7 and in Case 10 the words “ Part II or, as the case may be”.

In Schedule 17, paragraphs 3, 4, 10 and 11.

Schedule 19.

In Schedule 20, in paragraph 1(1) the words “ or controlled” and sub-paragraphs (6) and (7), in paragraph 3(2)(c) the words “ or, as the cases case may be, Schedule 9”, paragraph 4, and in paragraph 5 the definitions of “ dwelling”, “ notice of increase” and “ rent limit”.

Schedules 21 and 22.

In Schedule 23, paragraph 1, in paragraph 4 sub-paragraphs (g) to (i) and paragraphs 37 38 and 56(a).

1977 c. 45.

The Criminal Law Act 1977.

In Schedule 3, paragraph 25.

In Schedule 6, the entries relating to sections 65(1) of the Housing Act 1964 and 61 of the Housing Act 1969.

In Schedule 12, the entry relating to section 65 of the Housing Act 1964.

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