

SCHEDULES

SCHEDULE 17

MINOR AND CONSEQUENTIAL AMENDMENTS

PART I

GENERAL AMENDMENTS

The Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

- 4 (1) Section 17 of that Act (provisions in case of rented premises which include accommodation shared otherwise than with landlord), as it applies otherwise than to Scotland, shall be amended in accordance with this paragraph.
- (2) In subsection (1)—
- (a) after the words “qualifying for protection” there shall be inserted “which is a fixed term tenancy”;
 - (b) in paragraph (b) for the words from “subsection (2)” to “1977” there shall be substituted “section 16(4) above, subsection (1) of section 3 of the Housing Act 1988”;
 - (c) for the words “said section 22” there shall be substituted “said section 3”; and
 - (d) at the end there shall be added “and, accordingly, as if on the ending of the tenancy there arose a statutory periodic tenancy which is an assured tenancy during the remainder of that period”.
- (3) For subsection (2) there shall be substituted the following subsections—
- “(2) Where, at any time during a service man’s period of residence protection—
- (a) a tenancy qualifying for protection which is a periodic tenancy would come to an end, apart from the provisions of this section and section 16 above, and
 - (b) paragraphs (a) and (b) of subsection (1) above apply,
- section 3 of the Housing Act 1988 shall, during the remainder of the period of protection, apply in relation to the separate accommodation as if the circumstances referred to in subsection (1)(b) above did not exist and, accordingly, as if the tenancy had become an assured tenancy immediately before it would otherwise have come to an end.
- (3) Neither subsection (1) nor subsection (2) above applies if, on the ending of the tenancy qualifying for protection, a statutory tenancy arises.”