

*Changes to legislation:* Housing Act 2004, Cross Heading: Insurance schemes – supplementary provisions is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

## SCHEDULES

### SCHEDULE 10

#### PROVISIONS RELATING TO TENANCY DEPOSIT SCHEMES

##### *[<sup>F1</sup>Insurance schemes – supplementary provisions*

###### Textual Amendments

- F1** Cross-heading preceding Sch. 10 para. 7 inserted (6.4.2007) by [The Housing \(Tenancy Deposit Schemes\) Order 2007 \(S.I. 2007/796\)](#), [art. 12](#)

- <sup>X1</sup> 7 (1) The designated account held by the scheme administrator must not contain anything other than amounts paid into it as mentioned in paragraph 6(3) and any interest accruing on such amounts.
- (2) Subject to sub-paragraph (3), the scheme administrator may retain any interest accruing on such amounts.
- (3) The relevant arrangements under section 212(1) may provide for any amount paid in accordance with paragraph 6(5)(a) or (6) to be paid with interest—
- (a) in respect of the period during which the relevant amount has remained in the designated account, and
- (b) at such rate as the [<sup>F2</sup>Secretary of State] may specify for the purposes of paragraph 3(5)(b).
- (4) With the exception of any interest retained in accordance with sub-paragraph (2), nothing contained in the designated account may be used to fund the administration of the scheme.
- (5) In this paragraph “ the relevant amount ”, in relation to a tenancy deposit, means the amount, in respect of the deposit, paid into the designated account by virtue of a direction given in accordance with paragraph 6(3).

###### Editorial Information

- X1** The insertion of the new heading "Insurance schemes - supplementary provisions" in Sch. 10 on 6.4.2007 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under that new heading.

###### Textual Amendments

- F2** Words in [Sch. 10](#) substituted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), [28\(9\)](#) (with savings and transitional provisions in [S.I. 2022/1172](#), regs. 9, 19)

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#### Commencement Information

- I1** Sch. 10 para. 7 wholly in force at 6.4.2007; Sch. 10 para. 7 not in force at Royal Assent see s. 270(4) (5); Sch. 10 para. 7 in force for W. at 6.4.2007 by [S.I. 2007/305](#), [art. 2](#); Sch. 10 para. 7 in force for E. at 6.4.2007 by [S.I. 2007/1068](#), [art. 2\(a\)](#)

- <sup>x2</sup> 8 (1) The scheme must make provision for preventing double recovery by a tenant in respect of the whole or part of the deposit, and may in that connection make provision—
- (a) for excluding or modifying any requirement imposed by the scheme in accordance with paragraph 6 or 7, and
  - (b) for requiring the repayment of amounts paid to the tenant by the scheme administrator.
- (2) In this paragraph “ double recovery ”, in relation to an amount of a tenancy deposit, means recovering that amount both from the scheme administrator and from the landlord. ]

#### Editorial Information

- X2** The insertion of the new heading "Insurance schemes - supplementary provisions" in Sch. 10 on 6.4.2007 gives rise to a change in the structure of this legislation on SLD which breaks the continuity of historical versions of the existing provisions which are now brought under that new heading.

#### Commencement Information

- I2** Sch. 10 para. 8 wholly in force at 6.4.2007; Sch. 10 para. 8 not in force at Royal Assent see s. 270(4) (5); Sch. 10 para. 8 in force for W. at 6.4.2007 by [S.I. 2007/305](#), [art. 2](#); Sch. 10 para. 8 in force for E. at 6.4.2007 by [S.I. 2007/1068](#), [art. 2\(a\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act savings and transitional provisions for amendments by S.I. 2022/1166 by [S.I. 2022/1172 Regulations](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 66(1A) inserted by [2016 c. 22 s. 125\(3\)\(a\)](#)
- s. 66(3A)(3B) inserted by [2016 c. 22 s. 125\(3\)\(c\)](#)
- s. 89(1A) inserted by [2016 c. 22 s. 125\(6\)\(a\)](#)
- s. 89(3A)(3B) inserted by [2016 c. 22 s. 125\(6\)\(c\)](#)
- s. 139(7A)(7B) inserted by [2016 c. 22 s. 127\(3\)](#)