



Requisitioned Land and War Works Act 1948

1948 CHAPTER 17 11 and 12 Geo 6

Compensation for taking possession of land

8 Maxima for rental compensation.

- (1) Where the requisitioned land consists only of rent-restricted land, the rental compensation shall not exceed the permissible rent.
- (2) Where the requisitioned land includes no rent-restricted land, the rental compensation shall not exceed one hundred and sixty per cent. of what would be the amount thereof, calculated by reference to the level of rental values obtaining in respect of comparable land at the thirty-first day of March, nineteen hundred and thirty-nine, instead of by reference to the level obtaining immediately before possession of the land was taken, but otherwise in accordance with the Act of 1939 as originally enacted.
- (3) Where the requisitioned land consists partly of rent-restricted land and as to the remainder of other land, there shall be ascertained—
 - (a) the amount which under subsection (1) of this section would be the limit of rental compensation if the requisitioned land consisted only of the rent-restricted land, and
 - (b) the amount which would be the limit of rental compensation for the whole of the requisitioned land if none of it were rent-restricted land,and the rental compensation shall not exceed the aggregate of the amount ascertained under paragraph (a) of this subsection and so much of the amount ascertained under paragraph (b) thereof as is properly apportionable to that part of the requisitioned land which is not rent-restricted land.
- (4) In this section the following expressions have the meanings hereby respectively assigned to them, that is to say:—

“requisitioned land” means the aggregate of the land in respect of which, in any case, rental compensation falls to be assessed;

Changes to legislation: There are currently no known outstanding effects for the Requisitioned Land and War Works Act 1948, Section 8. (See end of Document for details)

“rent-restricted land” means land consisting of one or more rent-restricted properties or parts thereof and of no other land;

“rent-restricted property” means a property (whether or not the subject of a tenancy) in the case of which the following conditions are fulfilled, that is to say—

- (a) that immediately before the time when possession was taken of the property or part thereof in question the property or part was being used for residential purposes, or if it was not then being used that it had been used for residential purposes when last used before that time, and
- (b) that if an unfurnished tenancy of the property had been granted immediately before the said time the amount of the rent recoverable under the tenancy would have been restricted by the Rent and Mortgage Interest Restrictions Acts, 1920 to 1939;

“permissible rent” means—

- (a) in relation to a rent-restricted property, the maximum rent which would in accordance with the last-mentioned Acts have been recoverable under the tenancy referred to in paragraph (b) of the last foregoing definition, on the assumption that the tenant undertook to pay all usual tenant’s rates and taxes and to bear the cost of the repairs and insurance and the other expenses if any, necessary to maintain the property in a state to command that rent,
- (b) in relation to part of a rent-restricted property, so much of the said maximum rent as is properly apportionable thereto;

“unfurnished tenancy” means a tenancy under which a property is let for residential purposes, not being a tenancy where the application of the said Acts of 1920 to 1939 is excluded by reason of the property being let at a rent including payments in respect of board, attendance or use of furniture.

Changes to legislation:

There are currently no known outstanding effects for the Requisitioned Land and War Works Act 1948, Section 8.