
STATUTORY INSTRUMENTS

1988 No. 1683

LANDLORD AND TENANT

**The Protected Tenancies (Exceptions)
(Amendment) Regulations 1988**

Made - - - - 26th September 1988
Laid before Parliament 10th October 1988
Coming into force - - 1st November 1988

In exercise of the powers conferred on the Secretary of State by section 8 of the Rent Act 1977⁽¹⁾, the Secretary of State for Education and Science, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

1. These Regulations may be cited as the Protected Tenancies (Exceptions) (Amendment) Regulations 1988 and shall come into force on 1st November 1988.

2. The Protected Tenancies (Exceptions) Regulations 1986⁽²⁾ are hereby amended as follows—

(a) after regulation 1 there shall be inserted the following new regulation—

“1A. In these Regulations—

“assisted” has the same meaning as in section 114(2)(b) of the Education Act 1944⁽³⁾;

“publicly funded” shall mean that the relevant institution is—

- (a) provided or assisted by a local education authority;
- (b) in receipt of grant under regulations made under section 100(1)(b) of the Education Act 1944⁽⁴⁾; or
- (c) within the PCFC funding sector by virtue of section 132 of the Education Reform Act 1988⁽⁵⁾.”

(b) for regulation 3(b) there shall be substituted the following—

“(b) any other institution which provides further or higher education or both and which is publicly funded;”

(1) 1977 c. 42.

(2) S.I.1986/541.

(3) 1944 c. 31; section 114(2)(b) is prospectively repealed in part by Schedule 13 to the Education Reform Act 1988 (c. 40).

(4) 1944 c. 31; section 100(1)(b) was amended by section 213(3) of the Education Reform Act 1988 (c. 40).

(5) 1988 c. 40.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (c) to the Schedule there shall be added (at their appropriate places in alphabetical order)—
“The City University Students' Union.
The University of Sussex Catholic Chaplaincy Association.”

20th September 1988

Kenneth Baker
Secretary of State for Education and Science

26th September 1988

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 8 of the Rent Act 1977 excepts from the definition of “protected tenancy” in section 1 thereof a tenancy granted to a student, or prospective student, at an educational institution specified for the purposes of the section by regulations if the tenancy is granted by such an institution or by a body so specified.

These regulations amend the regulations made in 1986 under that section. The principal changes are—

- (1) to take into account the provisions of the Education Reform Act 1988 by adding to the list of specified educational institutions those within the PCFC funding sector as defined in that Act; and
- (2) to add to the specified bodies by whom non-protected tenancies may be granted to students of specified educational institutions those named in regulation 2(c) of these regulations.