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STATUTORY INSTRUMENTS

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**1996 No. 2305**

**LANDLORD AND TENANT,  
ENGLAND AND WALES**

**The Rent Assessment Committee (England and Wales)  
(Leasehold Valuation Tribunal) (Amendment) Regulations 1996**

<i>Made</i>	- - - -	<i>6th September 1996</i>
<i>Laid before Parliament</i>		<i>9th September 1996</i>
<i>Coming into force</i>	- -	<i>1st October 1996</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred by section 74(1)(b) of the Rent Act 1977<sup>(1)</sup> (as extended by section 52A(1) of the Landlord and Tenant Act 1987<sup>(2)</sup>), and of all other powers enabling them in that behalf, and after consultation with the Council on Tribunals<sup>(3)</sup>, hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) (Amendment) Regulations 1996 and shall come into force on 1st October 1996.

**Amendment of the Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) Regulations 1993**

2. The Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) Regulations 1993<sup>(4)</sup> are amended—

- (a) in regulation 2 (interpretation), in the definition of “application”, by the substitution, for the words “section 13 (determination by leasehold valuation tribunals of questions relating to purchase notices)”, of the words “section 13 (determination of questions by leasehold valuation tribunal)”; and

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(1) 1977 c. 42. Section 74(1)(b) was amended by paragraph 7 of Schedule 21 to the Leasehold Reform, Housing and Urban Development Act 1993 (c. 28).

(2) 1987 c. 31. Section 52A was inserted by the Housing Act 1996 (c. 52), Schedule 6, paragraph 7.

(3) See section 8 of the Tribunals and Inquiries Act 1992 (c. 53).

(4) S.I.1993/2408.

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(b) in Schedule 1 (particulars to be included in applications), by the insertion after item 15 of the following—

“**15A.** If the application is made under subsection (4) of section 8C (election in case of disposal for non-monetary consideration) of the Landlord and Tenant Act 1987, particulars of the non-monetary consideration.”**(5)**

Signed by authority of the Secretary of State for the Environment

4th September 1996

*David Curry*  
Minister of State,  
Department of the Environment

6th September 1996

*William Hague*  
Secretary of State for Wales

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**(5)** Section 8C(4) is inserted by Part 1 of Schedule 6 to the Housing Act 1996.

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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

The jurisdiction of leasehold valuation tribunals is extended by the Housing Act 1996 to include applications under the new section 8C of the Landlord and Tenant Act 1987 (“the 1987 Act”). Leasehold valuation tribunals also have jurisdiction to determine questions arising under section 13 of the 1987 Act which is amended by the Housing Act 1996.

Regulation 2(a) of these Regulations amends the Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) Regulations 1993 by substituting, for the reference in regulation 2 (interpretation) of those Regulations to section 13 of the 1987 Act, a reference to the new section 13.

Regulation 2(b) adds paragraph 15A to Schedule 1 to those Regulations. The new paragraph relates to applications to the tribunal under the new section 8C(4) of the 1987 Act, which may be made where a landlord has offered to dispose of property for a consideration that does not consist, or does not wholly consist, of money, and has received a notice indicating an intention to accept that offer. The tribunal may be asked to determine the equivalent monetary value of the non-monetary consideration so that, as section 8C(4) provides, that consideration may be treated for the purposes of sections 11 to 17 of the 1987 Act as an amount in money. The particulars to be provided to the tribunal in accordance with the new paragraph 15A are of the non-monetary consideration.