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STATUTORY INSTRUMENTS

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**1997 No. 71**

**HOUSING, ENGLAND AND WALES**

**The Secure Tenancies (Notices) (Amendment) Regulations 1997**

*Made* - - - - - *16th January 1997*

*Coming into force* - - - - - *12th February 1997*

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 on them by section 83(2) and (7), of the Housing Act 1985(1), hereby make the following Regulations—

**Citation and commencement**

1. These Regulations may be cited as the Secure Tenancies (Notices) (Amendment) Regulations 1997 and shall come into force on 12th February 1997.

**Amendment to the Notices**

2. In the notice in Part 1 of the Schedule to the Secure Tenancies (Notices) Regulations 1987(2)—  
(a) for paragraph 5 substitute—

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(1) 1985 c. 68; section 83 was substituted by section 147 of the Housing Act 1996 (c. 52).  
(2) S.I.1987/755.

*Status: This is the original version (as it was originally made).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

Cross out this paragraph if possession is being sought on Ground 2 of Schedule 2 to the Housing Act 1985 (whether or not possession is also sought on another Ground)

**5. The Court proceedings for possession will not be begun until after**

.....

[give the date after which Court proceedings can be brought]

● *Court proceedings cannot be begun until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date in this paragraph.*

● *After this date, Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new Notice must be served before possession can be sought.*

Cross out this paragraph if possession *not* being sought on Ground 2 of Schedule 2 to the Housing Act 1985

**5. Court proceedings for possession of the dwelling-house can be begun immediately. The date by which the tenant is to give up possession of the dwelling-house is**

.....

[give the date by which the tenant is to give up possession of the dwelling-house]

● *Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new notice must be served before possession can be sought.*

● *Possession of your dwelling-house cannot be obtained until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date inserted above and the date possession is ordered.*

14th January 1997

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

16th January 1997

*William Hague*  
Secretary of State for Wales

## **EXPLANATORY NOTE**

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

These Regulations amend the prescribed form of notice which has to be served on a secure tenant under the Housing Act 1985 before the court can entertain proceedings for possession of a dwelling-house let under a secure tenancy or for the termination of a secure tenancy, unless the court considers it just and equitable to dispense with the requirement of such a notice.

The amendments are in consequence of sections 83 and 83A of the Housing Act 1985, being substituted by the Housing Act 1996.