

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 24. (See end of Document for details)

SCHEDULES

SCHEDULE 24 **E+W**

Section 155(3).

SAVINGS AND TRANSITIONAL PROVISIONS

General transitional provisions

- 1 (1) In so far as anything done, or having effect as if done, under an enactment repealed by this Act could have been done under a corresponding provision in this Act, it shall not be invalidated by the repeal but shall have effect as if done under that provision.
- (2) Sub-paragraph (1) above applies, in particular, to any regulation, order, scheme, agreement, dissent, election, application, reference, representation, appointment or apportionment made, notice served, certificate issued, statement supplied, undertaking or direction given or rent registered.
- (3) Subject to this Schedule, any document made, served or issued before the passing of this Act or at any time thereafter (whether before or after the commencement of this Act) and containing a reference to an enactment repealed by this Act, or having effect as if containing such a reference, shall, except in so far as a contrary intention appears, be construed as referring, or as the context requires, as including a reference, to the corresponding provision of this Act.
- (4) Where a period of time specified in an enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.
- (5) Nothing in this Act shall affect the enactments repealed thereby in their operation in relation to offences committed before the commencement of this Act.
- (6) A conviction for an offence under an enactment repealed by this Act shall be treated for the purposes of this Act as a conviction of an offence under the corresponding provision of this Act.
- (7) Subject to the provisions of this Act, any reference in any document or enactment to a dwelling-house which is let on or subject to a protected or statutory tenancy (including any reference which immediately before the commencement of this Act, was to be construed as such a reference by virtue of paragraph 5 of Schedule 16 to the ^{M1}Rent Act 1968) shall be construed, except in so far as the context otherwise requires, as a reference to a dwelling-house let on or subject to a protected or statutory tenancy within the meaning of this Act.
- (8) Subject to the provisions of this Act, any reference in any document or enactment to a Part VI contract (within the meaning of Part VI of the ^{M2}Rent Act 1968) shall be construed, except in so far as the context otherwise requires, as a reference to a restricted contract.

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Marginal Citations

M1 1968 c. 23.

M2 1968 c. 23.

Existing statutory tenants

- 2 (1) If, immediately before the commencement of this Act, a person (the “existing statutory tenant”) was a statutory tenant of a dwelling-house by virtue of any enactment repealed by this Act (a “repealed enactment”) that person shall, on the commencement of this Act, be a statutory tenant of the dwelling-house for the purposes of this Act.
- (2) If, immediately before the existing statutory tenant became a statutory tenant, he was a tenant of the dwelling-house under a tenancy then, for the purposes of this Act, he shall be the statutory tenant by virtue of his previous protected tenancy.
- (3) If the existing statutory tenant became a statutory tenant on the death of a person who was himself a tenant or statutory tenant of the dwelling-house then, for the purposes of this Act, the existing statutory tenant shall be a statutory tenant by succession; and, unless he became a statutory tenant by virtue of section 13 of the ^{M3}Rent Act 1965, or paragraph 6 or 7 of Schedule 1 to the ^{M4}Rent Act 1968, he shall be deemed to be the first successor within the meaning of Schedule 1 to this Act.
- (4) If the existing statutory tenant became a statutory tenant by virtue of an exchange under section 17 of the ^{M5}Rent Act 1957 or section 14 of the ^{M6}Rent Act 1968 then, for the purposes of this Act, he shall be deemed to be the statutory tenant by virtue of his previous protected tenancy or, as the case may be, a statutory tenant by succession, if immediately before the commencement of this Act he was so deemed for the purposes of the ^{M7}Rent Act 1968.
- (5) If, by virtue of sub-paragraph (4) above, the existing statutory tenant is for the purposes of this Act a statutory tenant by succession, he shall be deemed to be the first successor, within the meaning of Schedule 1 to this Act if, and only if, the person who was a statutory tenant immediately before the date of exchange was not a statutory tenant by virtue of section 13 of the ^{M8}Rent Act 1965 or paragraph 6 or 7 of Schedule 1 to the ^{M9}Rent Act 1968.
- (6) Without prejudice to the case where by virtue of sub-paragraph (4) or (5) above, the existing statutory tenant is deemed to be a statutory tenant by succession but is not deemed to be the first successor, within the meaning of Schedule 1 to this Act, paragraphs 5 to 7 of that Schedule shall not apply where the existing statutory tenant, or the person on whose death he became a statutory tenant, became a statutory tenant by virtue of an exchange under section 17 of the ^{M10}Rent Act 1957 or section 14 of the ^{M11}Rent Act 1968.

Marginal Citations

M3 1965 c. 75.

M4 1968 c. 23.

M5 1957 c. 25.

M6 1968 c. 23.

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- M7** 1968 c. 23.
- M8** 1965 c. 75.
- M9** 1968 c. 23.
- M10** 1957 c. 25.
- M11** 1968 c. 23.

- 3 (1) A person who, at any time before the commencement of this Act, became a statutory tenant of a dwelling-house by virtue of—
- (a) section 12(10) of the ^{M12}Increase of Rent and Mortgage Interest (Restrictions) Act 1920 (under which workmen housed in certain dwelling-houses taken over by the Government during the 1914-18 war were to be treated as tenants of the landlords of those houses); and
 - (b) section 4 of the ^{M13}Requisitioned Houses and Housing (Amendment) Act 1955 (under which certain requisitioned dwelling-houses were returned to their owners on condition that the owners accepted the existing licensees as statutory tenants),
- (and not by way of succession to a previous statutory tenancy) shall be treated for the purposes of this Act as having become the statutory tenant of that dwelling-house on the expiry of a protected tenancy thereof.
- (2) A person who, on or after the commencement of the ^{M14}Rent Act 1965, retained possession of a dwelling-house by virtue of section 20 of that Act (which made transitional provisions in relation to tenancies which expired before the commencement of that Act) shall be deemed to have done so under a statutory tenancy arising on the termination of a tenancy which was a regulated tenancy, and the terms as to rent and otherwise of that tenancy shall be deemed to have been the same, subject to any variation specified by the court, as those of the tenancy mentioned in subsection (1) of that section (that is to say, the tenancy which ended before the commencement of the ^{M15}Rent Act 1965 but which would have been a regulated tenancy if that Act had then been in force).

Marginal Citations

- M12** 1920 c. 17.
- M13** 1955 c. 24.
- M14** 1965 c. 75.
- M15** 1965 c. 75.

- 4 A statutory tenancy subsisting at the commencement of this Act under section 4 of the ^{M16}Requisitioned Houses and Housing (Amendment) Act 1955 shall be treated, for the purposes of this Act—
- (a) as a regulated tenancy if, by virtue of section 10 of the ^{M17}Rent Act 1965, it fell to be treated as a regulated tenancy after 31st March 1966; and
 - (b) in any other case, as a controlled tenancy.

Marginal Citations

- M16** 1955 c. 24.
- M17** 1965 c. 75.

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Tenancies which ended before passing of Counter-Inflation Act 1973 (c. 9)

- 5 (1) This paragraph applies where the tenancy of a dwelling-house came to an end at a time before 22nd March 1973 and the tenancy would have been a regulated tenancy, for the purposes of the ^{M18}Rent Act 1968, if section 14 of the ^{M19}Counter-Inflation Act 1973 had been in force at that time.
- (2) If the tenant under the tenancy which came to an end duly retained possession of the dwelling-house after 22nd March 1973 without any order for possession having been made, or after the rescission of such an order, he shall be deemed to have done so under a statutory tenancy arising on the termination of the tenancy which came to an end and, subject to sub-paragraph (6) below the terms of that tenancy (including the rent) shall be deemed to have been the same as those of the tenancy which came to an end.
- (3) Any statutory tenancy arising by virtue of sub-paragraph (2) above, shall be treated as a statutory tenancy arising on the termination of a protected tenancy which was a regulated tenancy.
- (4) Where Article 10 of the ^{M20}Counter-Inflation (Rents) (England and Wales) Order 1972 applied to the rent under the tenancy, the rent under the tenancy imposed by sub-paragraph (2) above shall be the rent as limited by Article 10.
- (5) Schedule 7 to this Act shall not apply to a statutory tenancy arising under sub-paragraph (2) above.
- (6) The High Court or the county court may by order vary all or any of the terms of the tenancy imposed by sub-paragraph (2) above in any way appearing to the court to be just and equitable (and whether or not in a way authorised by the provisions of sections 46 and 47 of this Act).
- (7) If at 22nd March 1973 the dwelling-house was occupied by a person who would, if the tenancy had been a regulated tenancy, have been the “first successor” within the meaning of paragraph 4 of Schedule 1 to the ^{M21}Rent Act 1968 (which is re-enacted in Schedule 1 to this Act), sub-paragraphs (2), (4) and (5) above shall apply where that person retained possession as they apply where the tenant retained possession.

Marginal Citations

M18 1968 c. 23.

M19 1973 c. 9.

M20 S.I. 1972/1851.

M21 1968 c. 23.

Protected furnished tenancies

- 6 (1) In any case where—
- (a) before 14th August 1974 a dwelling was subject to a tenancy which was a Part VI contract within the meaning of the ^{M22}Rent Act 1968, and
 - (b) the dwelling forms part only of a building, and that building is not a purpose-built block of flats within the meaning of section 12 of this Act, and
 - (c) on that date the interest of the lessor, within the meaning of Part VI of the ^{M23}Rent Act 1968, under the tenancy—

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- (i) belonged to a person who occupied as his residence another dwelling which also formed part of that building, or
- (ii) was vested in trustees as such and was or, if it was held on trust for sale, the proceeds of its sale were held on trust for a person who occupied as his residence another dwelling which also formed part of that building, and
- (d) apart from paragraph 1 of Schedule 3 to the ^{M24}Rent Act 1974 the tenancy would, on that date, have become a protected furnished tenancy, this Act shall apply, subject to sub-paragraph (2) below, as if the tenancy had been granted on that date and as if the condition in section 12(1)(b) of this Act were fulfilled in relation to the grant of the tenancy.
- (2) In the application of this Act to a tenancy by virtue of this paragraph—
- (a) subsection (2) of section 12 shall be omitted; and
- (b) in section 20 and Part II of Schedule 2 any reference to section 12 of this Act shall be construed as including a reference to this paragraph.
- (3) In any case where paragraphs (a), (b) and (d) of sub-paragraph (1) above apply but on 14th August 1974 the interest referred to in paragraph (c) of that sub-paragraph was vested—
- (a) in the personal representatives of a deceased person acting in that capacity, or
- (b) by virtue of section 9 of the ^{M25}Administration of Estates Act 1925, in the Probate Judge within the meaning of that Act, or
- (c) in trustees as such,
- then, if the deceased immediately before his death or, as the case may be, the settlor immediately before the creation of the trust occupied as his residence another dwelling which also formed part of the building referred to in paragraph (b) of sub-paragraph (1) above, that sub-paragraph shall apply as if the condition in paragraph (c) thereof were fulfilled.
- (4) In the application of [^{F1}paragraph 1(c)] of Schedule 2 to this Act in a case falling within sub-paragraph (3) above, any period before 14th August 1974 during which the interest of the landlord vested as mentioned in that subsection shall be disregarded in calculating the period of 12 months specified therein.

Textual Amendments

F1 Words substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 25 Pt. I para. 60(a)**

Marginal Citations

M22 1968 c. 23

M23 1968 c. 23.

M24 1974 c. 51.

M25 1925 c. 23.

- 7 (1) This paragraph applies where the ^{M26}tenancy of a dwelling-house came to an end before 14th August 1974 and, if it had come to an end immediately after that date it would then have been a protected furnished tenancy within the meaning of the Rent Act 1974.

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- (2) If the tenant under the tenancy which came to an end duly retained possession of the dwelling-house on 14th August 1974 without an order for possession having been made or after the rescission of such an order he shall be deemed to have done so as a statutory tenant under a regulated tenancy and, subject to sub-paragraph (5) below, as a person who became a statutory tenant on the termination of a protected tenancy under which he was the tenant; and, subject to sub-paragraphs (4) and (5) below, the tenancy referred to in sub-paragraph (1) above shall be treated, in relation to his statutory tenancy,—
 - (a) as the original contractual tenancy for the purposes of section 3 of this Act, and
 - (b) as the previous contractual tenancy for the purposes of paragraph 2 of Part III of Schedule 15 to this Act.

- (3) In any case where—
 - (a) immediately before 14th August 1974 a rent was registered for a dwelling under Part VI of the ^{M27}Rent Act 1968, and
 - (b) on that date a person became a statutory tenant of that dwelling by virtue of paragraph 3(4) of Schedule 3 to the ^{M28}Rent Act 1974,
 the amount which was so registered under Part VI shall be deemed to be registered under Part IV of this Act as the rent for that dwelling, and that registration shall be deemed to have taken effect on 14th August 1974.

- (4) The High Court or the county court may by order vary all or any of the terms of the statutory tenancy imposed by sub-paragraph (2) above in any way appearing to the court to be just and equitable (and whether or not in a way authorised by the provisions of sections 46 and 47 of this Act).

- (5) If on 14th August 1974 the dwelling-house was occupied by a person who would, if the tenancy had been a protected tenancy for the purposes of the ^{M29}Rent Act 1968, have been “the first successor” as defined in paragraph 4 of Schedule 1 to that Act, sub-paragraph (2) above shall apply where that person retained possession as it applies where the tenant retained possession, except that he shall be the first successor as so defined.

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| <p>Marginal Citations</p> <p>M26 1974 c. 51.</p> <p>M27 1968 c. 23.</p> <p>M28 1974 c. 51.</p> <p>M29 1968 c. 23.</p> |
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- 8 (1) Where, immediately before the commencement of this Act, a rent was deemed (by virtue of section 5 of the ^{M30}Rent Act 1974) to have been registered under Part IV of the ^{M31}Rent Act 1968 with effect from 14th August 1974, it shall for the purposes of this Act be deemed to be registered under Part IV of this Act with effect from that date.

- (2) Section 67(3) of this Act shall not apply to an application for the registration under Part IV of this Act of a rent different from that which is deemed to be registered as mentioned in sub-paragraph (1) above.

- (3) F2

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- (4) A statutory furnished tenancy which arose on 15th August 1974, by virtue of section 5(4) of the ^{M32}Rent Act 1974, shall be treated as a statutory furnished tenancy for the purposes of this Act and as having arisen on that date.

Textual Amendments

F2 Sch. 24 para. 8(3) repealed by Housing Act 1988 (c. 50, SIF 61, 75:1), s. 140(2), **Sch. 18**

Marginal Citations

M30 1974 c. 51.

M31 1968 c. 23.

M32 1974 c. 51.

Regulated tenancies of formerly requisitioned houses

- 9 (1) This paragraph applies in relation to a regulated tenancy of a dwelling-house which is a statutory tenancy subsisting under section 4 of the ^{M33}Requisitioned Houses and Housing (Amendment) Act 1955 (under which licensees of previously requisitioned property became statutory tenants of the owners) and which, by virtue of section 10(1) of the ^{M34}Rent Act 1965, fell to be treated as a regulated tenancy after 31st March 1966.
- (2) In relation to any rental period of a regulated tenancy to which this paragraph applies, sections 45 to 48 of this Act shall have effect as if—
- (a) references therein to the last contractual period were references to the last rental period beginning before 31st March 1966, and
 - (b) the rent recoverable for that last rental period has included any sum payable for that period by the local authority to the landlord under section 4(4) of the said Act of 1955 (which provided for payments to make up the difference between the rent actually paid and the amount which would normally have been recoverable).

Marginal Citations

M33 1955 c. 24.

M34 1965 c. 75.

Miscellaneous

- 10 Any registration of a rent under Part IV of the ^{M35}Rent Act 1968 which, by virtue of paragraph 33(2) of Schedule 13 to the ^{M36}Housing Act 1974, fell to be treated as if it had been effected pursuant to an application under section 44 of the ^{M37}Rent Act 1968 shall continue to be so treated for the purposes of this Act.

Marginal Citations

M35 1968 c. 23.

M36 1974 c. 44.

M37 1968 c. 23.

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- 11 In the case of a registration of a rent before 1st January 1973 which, by virtue of subsection (3) of section 82 of the ^{M38}Housing Finance Act 1972 (provision corresponding to section 87(3) of this Act), was provisional only, the date of registration for the purposes of this Act shall be 1st January 1973.

Marginal Citations

M38 1972 c. 47.

- 12 Where, by virtue of section 1(1)(b) of the ^{M39}Rent Act 1974, any reference in an enactment or instrument was, immediately before the coming into force of this Act, to be construed as having the same meaning as in the ^{M40}Rent Act 1968 as amended by section 1 of the ^{M41}Rent Act 1974, that reference shall be construed as having the same meaning as in this Act.

Marginal Citations

M39 1974 c. 51.

M40 1968 c. 23.

M41 1974 c. 51.

- 13 If, immediately before the commencement of this Act, a person's statutory tenancy was a regulated tenancy (and not a controlled tenancy), for the purposes of the ^{M42}Rent Act 1968, by virtue of paragraph 5 of Schedule 2 to that Act (second successors) it shall be a regulated tenancy for the purposes of this Act by virtue of that paragraph.

Marginal Citations

M42 1968 c. 23.

- 14 If, immediately before the commencement of this Act, a person's statutory tenancy was a regulated tenancy for the purposes of the ^{M43}Rent Act 1968, by virtue of paragraph 10 of Schedule 16 to that Act (statutory tenancies deemed to arise by virtue of section 20 of the ^{M44}Rent Act 1965) it shall be a regulated tenancy for the purposes of this Act.

Marginal Citations

M43 1968 c. 23.

M44 1965 c. 75.

- 15 In relation to any time before 1st January 1960, paragraph (a) of section 34(1) of this Act shall have effect as if it included a reference to section 150 of the ^{M45}Public Health Act 1875 and to the ^{M46}Private Street Works Act 1892.

Marginal Citations

M45 1875 c. 55.

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M46 1892 c. 57.

- 16 [F3 Sections 44(1), 45(2), 57 and 72(7)] of this Act shall have effect in relation to rent determined or confirmed in pursuance of Schedule 3 to the M47 Housing Rents and Subsidies Act 1975.

Textual Amendments

F3 Words substituted by [Housing Act 1980 \(c. 51, SIF 61\)](#), **Sch. 25 Pt. I para. 60(b)**

Marginal Citations

M47 1975 c. 6.

- 17 If, immediately before the revocation of regulation 68CB of the Defence (General) Regulations 1939 accommodation was registered for the purposes of that regulation and was let in accordance with the terms and conditions so registered, any contract for the letting of the accommodation shall be treated, for the purposes of this Act, as not being a restricted contract, so long as any letting continues under which the accommodation was let in accordance with the terms and conditions on which it was let immediately before the revocation.
- 18 Section 54 of, and paragraph 5 of Schedule 9 to, this Act shall apply in relation to a failure to observe any of the requirements of section 43, 44(5) or 45 of the M48 Housing Finance Act 1972 as they apply in relation to a failure to observe any of the corresponding requirements of section 51, 52(6) or 53 of this Act.

Marginal Citations

M48 1972 c. 47.

- 19 (1) Until such time as the provisions mentioned in sub-paragraph (2) below come into force, sections 139(3) and 151(4) of this Act shall have effect as if the fines specified in those sections were, respectively, £10 and £5.
- (2) The provisions are those provisions of the M49 Criminal Law Act 1977 (increase of fines for certain summary offences) which would, had this act not repealed sections 104(3) and 109(4) of the M50 Rent Act 1968, have had the effect of increasing the fine specified in each of those sections to £25.

Marginal Citations

M49 1977 c. 45.

M50 1968 c. 23.

- 20 For the purposes of paragraph 3(3) of Schedule 9 to this Act a case where Schedule 2 to the M51 Housing Rents and Subsidies Act 1975 had effect shall be treated as if it were a case where Schedule 8 to this Act had effect.

Marginal Citations

M51 1975 c. 6.

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- 21 Subject to the provisions of this Act, any reference in any document or enactment to a Part VI letting (within the meaning of Part II of the ^{M52}Housing Finance Act 1972) shall be construed except in so far as the context otherwise requires, as a reference to a restricted letting (within the meaning of Part II as amended by this Act).

Marginal Citations

M52 1972 c. 47.

Transitional provisions from Rent Act 1957

- 22 If the rent recoverable under a controlled tenancy for any rental period beginning immediately before the commencement of this Act was, by virtue of section 1(4) of the ^{M53}Rent Act 1957 and paragraph 15 of Schedule 16 to the ^{M54}Rent Act 1968, the same as the rent recoverable for the rental period comprising the commencement of the Act of 1957 then, after the commencement of this Act, that rent shall remain the rent recoverable under that tenancy for any rental period for which it is neither increased nor reduced under Part II of this Act (but without prejudice to paragraph 1 of this Schedule).

Marginal Citations

M53 1957 c. 25.

M54 1968 c. 23.

- 23 If, immediately before the commencement of this Act, an agreement or determination of a tribunal made or given for the purposes of paragraph (b) of section 24(3) of the ^{M55}Housing Repairs and Rents Act 1954 was deemed, by virtue of paragraph 1 of Schedule 7 to the ^{M56}Rent Act 1957 and paragraph 16 of Schedule 16 to the ^{M57}Rent Act 1968, to be an agreement or determination made under paragraph (c) of section 52(1) of the Act of 1968 then, after the commencement of this Act, that agreement or determination shall, until an agreement or determination is made as is mentioned in paragraph (c) of section 27(1) of this Act, be deemed to be an agreement or determination made as mentioned in paragraph (c) of section 27(1).

Marginal Citations

M55 1954 c. 53

M56 1957 c. 25

M57 1968 c. 23.

- 24 (1) If, immediately before the commencement of this Act, the rent limit under a controlled tenancy of a dwelling was increased, by virtue of paragraph 2 of Schedule 7 to the ^{M58}Rent Act 1957 and paragraph 17 of Schedule 16 to the ^{M59}Rent Act 1968, on account of an improvement, or a notice of increase relating to an improvement, completed before the commencement of the Act of 1957, the like increase shall apply after the commencement of this Act to the rent limit under that controlled tenancy.

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- (2) In sub-paragraph (1) above, “the rent limit”, in relation to any time before the commencement of this Act, has the same meaning as in the Rent Act 1968, and in relation to any time after that commencement, has the same meaning as in Part II of this Act.

Marginal Citations

M58 1957 c. 25.

M59 1968 c. 23.

- 25 (1) If, immediately before the commencement of this Act, a certificate of a local authority under section 26(1) of the ^{M60}Housing Repairs and Rents Act 1954 or a certificate of a sanitary authority having effect as if it were a certificate under Part II of that Act had effect, by virtue of paragraph 3 of Schedule 7 to the ^{M61}Rent Act 1957 and paragraph 18 of Schedule 16 to the ^{M62}Rent Act 1968, as a certificate of disrepair under Schedule 9 to the Act of 1968, then, after the commencement of this Act, the certificate shall have effect to the like extent as before that commencement, as if it were a certificate of disrepair under Schedule 6 to this Act.
- (2) Where any such certificate ceases to have effect (whether by virtue of an order of the court or in consequence of being cancelled by the local authority) sections 27 and 28 of this Act shall have effect, in relation to any rental period beginning after the date as from which the certificate ceases to have effect as if it had ceased to have effect immediately before the basic rental period (within the meaning of Part II of this Act).

Marginal Citations

M60 1954 c. 53.

M61 1957 c. 25.

M62 1968 c. 23.

- 26 Where any increase in the rent recoverable under a controlled tenancy current on 6th July 1957 took effect before that date but after the beginning of the basic rental period (within the meaning of Part II of this Act), section 27 of this Act shall have effect as if for references to the rent recoverable for the basic rental period there were substituted references to the rent which would have been recoverable for that period if the increase had taken effect before the beginning thereof.

Savings

- 27 (1) Notwithstanding the repeal by this Act of the Rent Act 1968 and section 42 of the ^{M63}Housing Finance Act 1972—
- (a) sections 20(3) and 21 of the ^{M64}Rent Act 1968 (rent limit where no registered rent) shall continue to apply in relation to a regulated tenancy granted before 1st January 1973 if the rent under the tenancy, as varied by any agreement made before that date, exceeded the rent limit under section 20(3) (with any adjustment under section 21);
- (b) sections 30 (certain regulated tenancies to be disregarded in determining contractual rent limit) and 35 (duty of landlord to supply statement of rent under previous tenancy) of the ^{M65}Rent Act 1968 shall continue to apply in any case where section 20(3)(a) applies by virtue of this paragraph.

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- (2) In any case to which section 21 of the ^{M66}Rent Act 1968 applies by virtue of subparagraph (1) above, the reference in subsection (5) of that section to the amount expended on the improvement shall be construed as a reference to that amount diminished by the amount of any grant or repayment of the kind mentioned in section 48(2)(a) or (b) of this Act.
- (3) This paragraph shall cease to apply if the landlord and the tenant enter into an agreement which is a rent agreement with a tenant having security of tenure (within the meaning of section 51 of this Act) which complies with the requirements of subsection (4) of that section, or if they provide that this paragraph is not to apply by an agreement conforming with those requirements.

Marginal Citations

- M63** 1972 c. 47.
M64 1968 c. 23.
M65 1968 c. 23.
M66 1968 c. 23.

- 28 (1) Section 47 of the ^{M67}Housing Act 1969 (first registration of a rent after issue of qualification certificate) shall continue to have effect as respects an application for the first registration of a rent where the tenancy became a regulated tenancy before the date of the repeal of Part III of that Act by the ^{M68}Housing Finance Act 1972, but with the substitution, for the references to Part IV of the ^{M69}Rent Act 1968 and Schedule 6 to that Act, of references respectively to Part IV of, and Part II of Schedule 11 to, this Act.
- (2) Paragraph 3 of Schedule 17 to this Act shall apply to a conversion under the said Part III as it applies to a conversion under Part VIII of this Act.
- (3) Notwithstanding the said repeal, section 51(2)(a) of the Act of 1969 shall continue to have effect.
- (4) Sections 45 to 47 of this Act shall have effect in relation to a tenancy which has become a regulated tenancy by virtue of the said Part III as if references therein to the last contractual period were references to the last rental period beginning before the tenancy became a regulated tenancy.

Marginal Citations

- M67** 1969 c. 33.
M68 1972 c. 47.
M69 1968 c. 23.

- 29 Subsections (2) and (5) of section 48 of this Act shall have effect, in relation to any grant paid under section 30 of the ^{M70}Housing (Financial Provisions) Act 1958 (improvement grants) or section 4 of the ^{M71}House Purchase and Housing Act 1959 (standard grants) in pursuance of an application made before 25th August 1969, as they have effect in relation to any of the grants mentioned in those subsections.

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Marginal Citations

M70 1958 c. 42.

M71 1959 c. 33.

- 30 Notwithstanding the repeal by this Act of the ^{M72}Rent Act 1968, the amendments made in other enactments (“the amended enactments”) by that Act shall, to the extent that they had effect immediately before the coming into force of this Act, continue to have effect subject to any amendment of any of the amended enactments by this Act.

Marginal Citations

M72 1968 c. 23.

- 31 Any registration of a rent made before the commencement of this Act—
- (a) in the part of the register provided for by section 82 of the ^{M73}Housing Finance Act 1972, and
 - (b) in reliance on subsection (3A) of section 44 of the ^{M74}Rent Act 1968,
- shall be as valid, and shall have effect, as if this Act had then been in force.

Marginal Citations

M73 1972 c. 47.

M74 1968 c. 23.

- 32 Notwithstanding the repeal by this Act of paragraphs 20 to 26 of Schedule 16 to the ^{M75}Rent Act 1968 (miscellaneous savings) any enactment which, immediately before the commencement of this Act, had effect by virtue of any of those paragraphs shall continue to have effect; and this Act shall have effect in relation to cases falling within any of those paragraphs as the ^{M76}Act of 1968 had effect immediately before the commencement of this Act.

Marginal Citations

M75 1968 c. 23.

M76 1968 c. 23.

Status:

Point in time view as at 01/02/1991.

Changes to legislation:

There are currently no known outstanding effects for the Rent Act 1977, SCHEDULE 24.