
Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the Housing and Planning Act 1986, Cross Heading: Rent Act 1977. (See end of Document for details)

SCHEDULES

SCHEDULE 5

HOUSING: MINOR AND CONSEQUENTIAL AMENDMENTS

PART II

CONSEQUENTIAL AMENDMENTS

Rent Act 1977

- 15 In section 16 of the ^{M1}Rent Act 1977 (tenancy not protected if interest of landlord belongs to housing co-operative) for the words from “within the meaning of section 27” to the end substitute “within the meaning of section 27B of the Housing Act 1985 (agreements with housing co-operatives under certain superseded provisions) and the dwelling-house is comprised in a housing co-operative agreement within the meaning of that section”.

Marginal Citations

M1 1977 c. 42.

PROSPECTIVE

- 16 (1) Schedule 12 to the Rent Act 1977 (procedure on application for certificate of fair rent) is amended as follows.
- (2) In paragraph (1)(c)—
- (a) after “section 69(1)(a)” insert “or (1A)(b)”;
 - (b) after “improvement” insert “or repair”;
 - (c) after “regulated” insert “or secure”.
- (3) In paragraph 3, after “If,” insert—
- “in the case of—
- (a) an application under section 69(1) of this Act where the dwelling-house is not subject to a regulated tenancy, or
 - (b) an application under section 69(1A) of this Act where the dwelling-house is not subject to a secure tenancy,”;
- and omit “unless the dwelling-house is subject to a regulated tenancy”.
- (4) In paragraph 4, for the words from “an application” to “regulated tenancy” substitute “—

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- (a) an application under section 69(1) of this Act where the dwelling-house is not subject to a regulated tenancy and which does not fall within paragraph 3 above, or
- (b) an application under section 69(1A) of this Act and which does not fall within paragraph 3 above and where the dwelling-house is not subject to a secure tenancy.”.

(5) In paragraph 5(1), for “Where the dwelling-house is subject to a regulated tenancy” substitute

“In the case of—

- (a) an application under section 69(1) of this Act where the dwelling-house is subject to a regulated tenancy, or
- (b) an application under section 69(1A) of this Act where the dwelling-house is subject to a secure tenancy.”.

(6) In paragraphs 8(2) and 11, after “regulated” insert “or secure”.

(7) After paragraph 11 add—

“12 In this Schedule “secure tenancy” has the same meaning as in Part IV of the Housing Act 1985, but does not include such a tenancy where the landlord is the Housing Corporation, a housing association or a housing trust which is a charity.

In this paragraph “housing association”, “housing trust” and “charity” have the same meaning as in Part IV of the Housing Act 1985.”

17 F1

Textual Amendments

F1 Sch. 5 paras. 14, 17 repealed (S.) by [Housing \(Scotland\) Act 1987 \(c. 26, SIF 61\)](#), ss. 335, 339(3), [Sch. 24](#)

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