



# Rent Act 1957

## 1957 CHAPTER 25

### *Miscellaneous and Supplemental*

#### **25 Interpretation**

(1) In this Act, except so far as the context otherwise requires:—

" the Rent Acts ", " the Act of 1920 ", " the Act of 1933 ", " landlord ", " tenant ", " tenancy ", " statutory tenancy " and " local authority " have the meanings assigned to them by subsection (1) of section forty-nine of the Housing Repairs and Rents Act, 1954, or as respects Scotland by subsection (1) of section thirty-nine of the Housing (Repairs and Rents) (Scotland) Act, 1954;

" appropriate factor " means the number by which the 1956 gross value is to be multiplied in determining the rent limit;

" basic rental period " means the rental period comprising the commencement of this Act or, in the case of a controlled tenancy beginning thereafter, the first rental period of the tenancy;

" controlled tenancy " means a tenancy to which the Rent Acts apply or a statutory tenancy;

" dwelling ", except in section sixteen of this Act, means in relation to a controlled tenancy the aggregate of the premises comprised in the tenancy, and in relation to a contract the aggregate of the premises to which the contract relates;

" improvement " includes structural alteration, extension or addition and the provision of additional fixtures or fittings, but does not include anything done by way of decoration or repair;

" long tenancy " and " tenancy at a low rent " have the meanings assigned to them by subsections (4) and (5) of section two of the Landlord and Tenant Act, 1954;

" 1956 gross value ", in relation to a dwelling, means, subject to the provisions of the Fifth Schedule to this Act, the gross value thereof as shown in the valuation list on the seventh day of November, nineteen hundred and fifty-six, or, where the dwelling forms part only of a hereditament shown in that

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list, such proportion of the gross value shown in that list for that hereditament as may be agreed in writing between the landlord and the tenant or determined by the county court;

" notice of increase " means a notice of increase under section two of this Act;

" prescribed " means prescribed by regulations under section fourteen of the Act of 1933, and references in this Act to a prescribed form include references to a form substantially to the same effect as the prescribed form;

" rateable value " shall be construed as provided in Part I of the Fifth Schedule to this Act;

" rates " includes water rents and charges but does not include an owner's drainage rate within the meaning of paragraph (a) of subsection (2) of section twenty-four of the Land Drainage Act, 1930; and any references in this Act to rates in respect of any dwelling include references to such proportion of any rates in respect of a hereditament of which the dwelling forms part as may be agreed in writing between the landlord and the tenant or determined by the county court;

" rental period " means a period in respect of which a payment for rent falls to be made;

" the Minister " means the Minister of Housing and Local Government, or as respects Scotland the Secretary of State;

" the valuation officer " has the same meaning as in Part III of the Local Government Act, 1948.

- (2) Where a controlled tenancy is followed by a statutory tenancy of the same dwelling, the two shall be treated for the purposes of this Act, in its application to England and Wales, as together constituting one controlled tenancy.
- (3) Any reference in this Act, in its application to England and Wales, to rent shall be construed as a reference to rent—
- (a) exclusive of any sums recoverable as rent under section sixteen of the Landlord and Tenant Act, 1927 (which enables landlords to recover, as rent, sums in respect of increases in taxes, rates or fire premiums ascribable to improvements made by tenants) other than—
    - (i) sums so recoverable in respect of increases in rates, or
    - (ii) sums referable to improvements executed by the tenant before the first day of April, nineteen hundred and fifty-six, or
    - (iii) sums referable to improvements executed by him after that day but affecting the 1956 gross value by reason of a proposal made before the first day of April, nineteen hundred and fifty-seven;
  - (b) exclusive of any sums recoverable as rent under the First Schedule to the Landlord and Tenant Act, 1954;
  - (c) without taking into account any deduction falling to be made under the First Schedule to the Landlord and Tenant (Rent Control) Act, 1949 (which provides for the recovery of premiums by deduction from rent) or under paragraph 1 of the Second Schedule to the Landlord and Tenant Act, 1954 (which empowers the court to order a reduction of rent where the landlord fails to carry out initial repairs).
- (4) References in this Act to any enactment are references to that enactment as amended by any other enactment, including, except where the context otherwise requires, this Act.