

1990 No. 363

LANDLORD AND TENANT, ENGLAND AND WALES

**The Landlord and Tenant Act 1954 (Appropriate
Multiplier) Order 1990**

<i>Made</i> - - - -	<i>26th February 1990</i>
<i>Laid before Parliament</i>	<i>6th March 1990</i>
<i>Coming into force</i>	<i>1st April 1990</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 on them by section 37(8) of the Landlord and Tenant Act 1954(a), and of all other powers enabling them in that behalf, hereby make the following Order –

1. This Order may be cited as the Landlord and Tenant Act 1954 (Appropriate Multiplier) Order 1990 and shall come into force on 1st April 1990.

2. In this Order references to section 37 are references to section 37 of the Landlord and Tenant Act 1954 and references to the 1989 Act are to the Local Government and Housing Act 1989.

3. Where the date which (apart from paragraph 4 of Schedule 7 to the 1989 Act) is relevant for determining the rateable value of the holding under section 37(5) is before 1st April 1990, the appropriate multiplier for the purposes of section 37(2) is 3.

4. Where the date which (apart from paragraph 4 of Schedule 7 to the 1989 Act) is relevant for determining the rateable value of the holding under section 37(5) is on or after 1st April 1990, the appropriate multiplier for the purposes of section 37(2) is –

(a) 1, except in a case specified in (b) below, and

(b) 8 in a case where section 37 has effect with the modification specified in paragraph 4(2) of Schedule 7 to the 1989 Act.

5. The Landlord and Tenant Act 1954 (Appropriate Multiplier) Order 1984(b) is hereby revoked.

26th February 1990

Chris Patten
Secretary of State for the Environment

26th February 1990

Peter Walker
Secretary of State for Wales

(a) 1954 c.56; section 37 was amended by section 11 of the Law of Property Act 1969 (c.59), paragraph 4 of Schedule 33 to the Local Government, Planning and Land Act 1980 (c.65) and paragraph 2 of Schedule 7 to the Local Government and Housing Act 1989 (c.42).
(b) S.I. 1984/1932.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order prescribes the appropriate multiplier to be used in calculating the amount of compensation to which a tenant may be entitled, under Part II of the Landlord and Tenant Act 1954, where an order for a new tenancy is precluded on certain grounds. The amount of compensation is arrived at by multiplying the rateable value of the holding (as determined for the purposes of section 37(2) of the 1954 Act) or twice that rateable value, as the case may be, by the appropriate multiplier. The Order is consequential on the discontinuance of domestic rating and the re-rating of non-domestic property under the Local Government Finance Act 1988 (c.41).

The Order prescribes a multiplier of 3 where the date which is relevant for determining the rateable value of the holding for calculating the compensation is before the 1st April 1990 (and, if the tenant has opted under paragraph 4 of Schedule 7 to the Local Government and Housing Act 1989 for compensation to be based on the rateable value of the holding on 31st March 1990 where the date which would otherwise have been relevant is before the 1st April 1990). This is the same multiplier as that prescribed by S.I. 1984/1932 (which is revoked by this Order). Where the date for determining the rateable value is on or after 1st April 1990 (or would be but for the tenant having opted for the 31st March 1990 under paragraph 4), the Order prescribes a multiplier of 1, except in the transitional case where the tenant has exercised the option under paragraph 4 of Schedule 7. In the transitional case the multiplier is 8.

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