

SCHEDULE
AMENDMENTS

Rent Act 1977

16. After section 4(3) insert—

“(4) A tenancy is not a protected tenancy if—

- (a) it is entered into on or after 1st April 1990 (otherwise than, where the dwelling-house had a rateable value on 31st March 1990, in pursuance of a contract made before 1st April 1990), and
- (b) under it the rent payable for the time being is payable at a rate exceeding £25,000 a year.

(5) In subsection (4) above “rent” does not include any sum payable by the tenant as is expressed (in whatever terms) to be payable in respect of rates, services, repairs, maintenance or insurance, unless it could not have been regarded by the parties as a sum so payable.

(6) If any question arises in any proceedings whether a tenancy is precluded from being a protected tenancy by subsection (4) above, the tenancy shall be deemed to be a protected tenancy unless the contrary is shown.

(7) The Secretary of State may by order replace the amount referred to in subsection (4) above by an amount specified in the order; and such an order shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”