

SCHEDULE 2

TRANSITIONAL AMENDMENTS

THE RENT (SCOTLAND) ACT 1984

4. After section 66 (powers of rent assessment committees on reference of contracts) there shall be inserted the following section—

“Transitional references of Part VII contracts

66A.—(1) This section applies in the case where a Part VII contract or an agreement relating to such a contract provides for the payment by the lessee to the lessor of sums in respect of council tax and—

- (a) a rent was registered before 1st April 1993; or
- (b) a reference is made before 1st April 1993 under section 66(1) above with a view to the registration of a rent but a rent is not registered in respect of that reference.

(2) At any time before 1st April 1994 or the expiry of 3 years beginning with the date of last consideration by the rent assessment committee, whichever is the earlier, either the lessee or the lessor under a Part VII contract may refer the contract to the rent assessment committee for the area in question for consideration of the rent for the purpose of taking into account sums payable by the lessee to the lessor in respect of council tax.

(3) Where a reference is made under subsection (2) above, the rent assessment committee shall, after making such inquiry as they think fit and giving to each party to the contract an opportunity of being heard or of submitting representations in writing, increase the amount of the registered rent by such sum as the committee consider reasonable to take account of the sums payable by the lessee to the lessor in respect of council tax.

(4) The rent registered under this section shall be the total of the previously registered rent and the increased sum mentioned in subsection (3) above.

(5) In any case where the committee have before them references under this section and section 66 above, the committee shall not make their decision in relation to the reference under this section until they have made their decision under the said section 66.

(6) No more than one application in respect of any Part VII contract may be made under this section.”.