

SCHEDULE 2

Consequential provisions – secondary legislation

PART 1

Provisions consequential upon transfer of functions from rent assessment committees for areas in England

The Rent Assessment Committees (England and Wales) Regulations 1971

1. In the Rent Assessment Committees (England and Wales) Regulations 1971(1), after regulation 1 (citation and commencement) insert—

“Application

1A. These Regulations apply in relation to Wales.”.

The Rent Act 1977 (Forms etc) Regulations 1980

2. The Rent Act 1977 (Forms etc) Regulations 1980(2) are amended as follows.
3. In regulation 8—
 - (a) for “The register” substitute “Each of the registers”;
 - (b) after “under” insert “sections 79(1)and 79A(1)”.
4. In Schedule 1—
 - (a) in Form 1—
 - (i) in paragraphs 1 and 2(a), for “a Rent Assessment Committee” substitute “the tribunal”; and
 - (ii) in the Notes, at 1, for “rent assessment committee”, substitute “tribunal”;
 - (b) in Form 2—
 - (i) in paragraphs 1 and 2(a) for “Rent Assessment Committee” substitute “tribunal”; and
 - (ii) in the Notes, at 1(b), for “rent assessment committee” substitute “the tribunal”;
 - (iii) in the Notes, at 8, for “a Rent Assessment Committee” substitute “the tribunal”;
 - (c) in Form 5, in paragraph 16, for “rent assessment committee” substitute “tribunal”;
 - (d) in Form 6 in paragraph 13, for “rent assessment committee” substitute “tribunal”;
 - (e) in Form 7 in paragraph 15, for “rent assessment committee” substitute “tribunal”;
 - (f) in Form 9A in the Notes, in 3, for “rent assessment committee” substitute “tribunal”;
 - (g) in Forms 12 and 12A, in paragraph 5 of each of those forms, for “rent assessment committee” substitute “tribunal”;
 - (h) in Form 13 in paragraph 6, for “Rent Assessment Committee” substitute “tribunal”;
 - (i) in Form 15—
 - (i) in the headings, for “rent tribunal”, at each place, substitute “tribunal”;

(1) S.I. 1971/1065. The Regulations have been amended but none of the amendments are relevant.

(2) S.I. 1980/1697. Schedule 1 to the Regulations has been amended by S.I. 1984/1391, 1987/266, 1988/2195, 1993/655, 1997/2971, 2008/2831, 2010/671, 2012/641 and 1988/2195.

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- (ii) in the first paragraph, for “Rent Tribunal” substitute “Tribunal”;
- (iii) before the paragraph beginning “The dwelling” insert—
“(As the dwelling is in Wales, I/We make this application to the rent assessment committee) (As the dwelling is in England, I/We make this application to the First-tier Tribunal).”;
- (j) in Schedule 4 (particulars with regard to the contract to be entered in the register), in paragraph 1, omit “rent”.

The Rent Book (Forms of Notice) Regulations 1982

- 5. In the Rent Book (Forms of Notice) Regulations 1982(3), in “Part Part 1” of the Schedule—
 - (a) in the italic instructions preceding paragraph 5 omit “Rent”;
 - (b) in paragraph 10—
 - (i) for “Rent Tribunal” in the first place, substitute “First-tier Tribunal (if the premises are in England) or to the Rent Tribunal (if the premises are in Wales)”;
 - (ii) for “Rent Tribunal” in the second place, substitute “same tribunal”.

The Assured Tenancies and Agricultural Occupancies (Rent Information) Order 1988

- 6. The Assured Tenancies and Agricultural Occupancies (Rent Information) Order 1988(4) is amended as follows.
 - 7. For article 3, substitute—
“3. In cases to which this Order applies, the information which must be made available for public inspection by—
 - (a) the president of the rent assessment panel under section 42 of the Housing Act 1988, and
 - (b) the Chamber President of the Property Chamber of the First-tier Tribunal under section 42A of the Housing Act 1988,is the information specified in the Schedule to this Order.”
 - 8. In article 4, for “each” substitute “the”.
 - 9. In the Schedule (specified information), in paragraph 11, for “committee” at both places substitute “tribunal”.

The Leasehold Reform (Collective Enfranchisement and Lease Renewal) Regulations 1993

- 10. The Leasehold Reform (Collective Enfranchisement and Lease Renewal) Regulations 1993(5) is amended as follows.
 - 11. In Schedule 1 (Collective Enfranchisement)—
 - (a) in paragraphs 3(2), 6(1) and 7(2), for “a leasehold valuation tribunal” at each place substitute “the appropriate tribunal (as defined in section 38)”.
 - 12. In Schedule 2 (lease renewal), in paragraph 7(1) for “a leasehold valuation tribunal” substitute “the appropriate tribunal (as defined in section 38)”.

(3) [S.I. 1982/1474](#). The Schedule to the Regulations has been amended by [S.I. 1988/2198](#), [1990/1067](#), [1993/656](#) and [1997/2971](#).

(4) [S.I. 1988/2199](#), as amended by [S.I. 1990/1474](#) and [1993/657](#).

(5) [S.I. 1993/2407](#). The Regulations have been amended but none of the amendments are relevant.

The Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997

13. The Assured Tenancies and Agricultural Occupancies (Forms) Regulations 1997(6) are amended as follows.

14. In regulation 3 (prescribed forms), in paragraphs (e) and (f), for “rent assessment committee” substitute “tribunal”.

15. In the Schedule (forms prescribed for the purposes of Part 1 of the Housing Act 1988), in Form No. 5—

- (a) in the heading, for “Rent Assessment Committee” substitute “Tribunal”;
- (b) after “local rent assessment panel” insert “if the premises are in Wales, or to the First-tier Tribunal if the premises are in England”.

16. In Form No. 6—

- (a) in the heading, for “Rent Assessment Committee” substitute “Tribunal”;
- (b) for “the local rent assessment committee” substitute “the tribunal”;
- (c) for “the rent assessment committee” substitute “the tribunal”;
- (d) after “please send it to your local rent assessment panel” insert “if the premises are in Wales or to the First-tier Tribunal if the premises are in England”;
- (e) at paragraphs 12(a) and (b), for “rent assessment committee” substitute “tribunal”;
- (f) in the text beginning “cases where this form should not be used”, for “rent assessment committee”, in both places, substitute “tribunal”.

17. In Form No. 9, in paragraph 3, for the paragraph beginning “As an assured shorthold tenant” substitute—

“As an assured shorthold tenant, you have the right to apply to a tribunal for the determination of a reasonable rent for the tenancy. An application to the tribunal must be made on the form headed *Application to a Tribunal for the determination of a rent under an Assured Shorthold Tenancy* within six months of the beginning of the tenancy. You can obtain the form from the rent assessment panel (if the premises are in Wales), the website of the Ministry of Justice: www.justice.gov.uk or a law stationer.”

The Leasehold Reform (Notices) Regulations 1997

18. In the Schedule to the Leasehold Reform (Notices) Regulations 1997(7), in Form 3 (form of landlord’s notice under Part 1 of the Leasehold Reform Act 1967), in Note 3, omit “leasehold valuation”.

The Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) (Amendment) Regulations 1997

19. In the Rent Assessment Committee (England and Wales) (Leasehold Valuation Tribunal) (Amendment) Regulations 1997(8), after regulation 1 (citation and commencement) insert—

“Application

1A. These Regulations apply in relation to Wales.”

(6) S.I. 1997/194, as amended by S.I. 2002/337, 2003/260 and 2003/307.

(7) S.I. 1997/640. Form 3 was substituted in relation to England by S.I. 2002/3209 and in relation to Wales by S.I. 2003/991.

(8) S.I. 1997/1854

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The Long Residential Tenancies (Principal Forms) Regulations 1997

20. The Long Residential Tenancies (Principal Forms) Regulations 1997⁽⁹⁾ are amended as follows.

21. In regulation 3 (forms), in paragraph (e), for “rent assessment committee” substitute “tribunal”.

22. In the notes to Form 1—

- (a) in Note 13, for “rent assessment committee” in both places, substitute “tribunal”;
- (b) insert after Note 15—

“Note 16: If your property is in England, the reference in Note 13 to “a tribunal” means the First-tier Tribunal. If your property is in Wales, “tribunal” means a rent assessment committee.”.

23. In the notes to Form 3—

- (a) in Note 2, for “rent assessment committee” substitute “tribunal (see Note 2A)”;
- (b) after Note 2 insert—

“Note 2A: If your property is in England, “tribunal” means the First-tier Tribunal or the Upper Tribunal. If your property is in Wales, “tribunal” means a rent assessment committee.”;

(c) in Notes 4 and 5—

- (i) for “your local rent assessment committee” substitute “the appropriate tribunal referred to in Note 2A”;
- (ii) for “the committee”, at each place, substitute “the tribunal”.

24. In the notes to Form 4—

- (a) in Note 3, for “local rent assessment committee” substitute “tribunal”;
- (b) for “The committee”, substitute “The tribunal”;
- (c) in Notes 4, 5 and 6, for “the committee”, in each place, substitute “the tribunal”;
- (d) after 4 insert—

“Note 4A: If your property is in England, “tribunal” means the First-tier Tribunal or the Upper Tribunal. If your property is in Wales, “tribunal” means a rent assessment committee.”;

(e) in Note 6, for “a rent assessment committee” substitute “a tribunal (see Note 4A)”.

25. In Form 5—

- (a) in the heading, for “Rent Assessment Committee” substitute “Tribunal”;
- (b) in the instructions preceding paragraph 1—
 - (i) for “rent assessment committee” in both places, substitute “tribunal”;
 - (ii) for “the committee hearing”, substitute “the tribunal hearing”;
- (c) in the paragraph preceding paragraph 7—
 - (i) for “rent assessment committee” substitute “tribunal”;
 - (ii) for “committee” at each place, substitute “tribunal”;
- (d) in paragraph 7, for “rent assessment committee”, substitute “appropriate tribunal”;

⁽⁹⁾ S.I. 1997/3008, as amended by S.I. 2002/233, 2002/2227 and 2010/671.

- (e) in the Notes, for “the committee”, at each place, substitute “the tribunal”;
- (f) after Note 1 insert—

“Note 1A: If your property is in England, “tribunal” means the First-tier Tribunal or where determined by or under Tribunal Procedure Rules, the Upper Tribunal. If your property is in Wales, “a tribunal” means a rent assessment committee.”;

- (g) in Note 4, for “rent assessment committee” substitute “tribunal”.

The Leasehold Valuation Tribunals (Fees) (England) Regulations 2003

- 26. The Leasehold Valuation Tribunals (Fees) (England) Regulations 2003(10) are revoked.

The Leasehold Valuation Tribunals (Procedure) (England) Regulations 2003

- 27. The Leasehold Valuation Tribunals (Procedure) (England) Regulations 2003(11) are revoked.

The Leasehold Valuation Tribunals (Procedure) (Amendment) (England) Regulations 2004

- 28. The Leasehold Valuation Tribunals (Procedure) (Amendment) (England) Regulations 2004(12) are revoked.

The Landlord and Tenant (Notice of Rent) (England) Regulations 2004

- 29. In the Landlord and Tenant (Notice of Rent) (England) Regulations 2004(13), in the Schedule (form of rent demand notice), in the notes for leaseholders, omit “leasehold valuation”.

The Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006

- 30. In the Housing (Empty Dwelling Management Orders) (Prescribed Exceptions and Requirements) (England) Order 2006(14), in article 4 (prescribed requirements), in paragraph (1) (b), for “residential property” substitute “appropriate”.

The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006

- 31. The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006(15) are amended as follows.

32. In regulations 11(1)(g), 12(1)(g) and 13(1)(f), for “a residential property tribunal” substitute “the First-tier Tribunal”.

33. In regulation 13(3)(f) for “a residential property tribunal or to the Lands Tribunal” substitute “the First-tier Tribunal or to the Upper Tribunal”.

(10) S.I. 2003/2098 as amended by S.I. 2008/1879.

(11) S.I. 2003/2099 as amended by S.I. 2004/3098 and 2008/2683.

(12) S.I. 2004/3098

(13) S.I. 2004/3096

(14) S.I. 2006/367 as amended by S.I. 2012/2625.

(15) S.I. 2006/373. Relevant amendments were made by S.I. 2007/1903 and 2009/1307.

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The Rent Repayment Orders (Supplementary Provisions) (England) Regulations 2007

34. The Rent Repayment Orders (Supplementary Provisions) (England) Regulations 2007(16) are amended as follows.

35. In regulation 2 (overpayments of housing benefit), in paragraph (2), for “residential property tribunal” substitute “First-tier Tribunal”.

36. In regulation 3(3) (costs of proceedings), omit “residential property”.

The Administration Charges (Summary of Rights and Obligations) (England) Regulations 2007

37. The Administration Charges (Summary of Rights and Obligations) (England) Regulations 2007(17) are amended as follows.

38. In regulation 2 (form and content of summary of rights and obligations)—

- (a) in paragraphs (4) and (5), for “a leasehold valuation tribunal” substitute “the First-tier Tribunal”;
- (b) for paragraphs (6) and (7), substitute—

“(6) Where you seek a determination or order from the First-tier Tribunal, you will have to pay an application fee and, where the matter proceeds to an oral hearing, a hearing fee, unless you qualify for fee remission or exemption. Making such an application may incur additional costs, such as professional fees, which you may have to pay.

(7) The First-tier Tribunal and the Upper Tribunal (in determining an appeal against a decision of the First-tier Tribunal) have the power to award costs in accordance with section 29 of the Tribunals, Courts and Enforcement Act 2007.”

The Service Charges (Summary of Rights and Obligations, and Transitional Provision) (England) Regulations 2007

39. The Service Charges (Summary of Rights and Obligations, and Transitional Provision) (England) Regulations 2007(18) is amended as follows.

40. In regulation 3 (form and content of summary of rights and obligations of interest)—

- (a) in paragraphs (3), (7) and (8), for “a leasehold valuation tribunal” substitute “the First-tier Tribunal”;
- (b) for paragraphs (5) and (6) substitute—

“(5) Where you seek a determination from the First-tier Tribunal, you will have to pay an application fee and, where the matter proceeds to an oral hearing, a hearing fee, unless you qualify for fee remission or exemption. Making such an application may incur additional costs, such as professional fees, which you may have to pay.

(6) The First-tier Tribunal and the Upper Tribunal (in determining an appeal against a decision of the First-tier Tribunal) have the power to award costs in accordance with section 29 of the Tribunals, Courts and Enforcement Act 2007.”

(16) [S.I. 2007/572](#)

(17) [S.I. 2007/1258](#) as amended by [S.I. 2009/1307](#).

(18) [S.I. 2007/1257](#)

The Right to Manage (Prescribed Particulars and Forms) (England) Regulations 2010

41. The Right to Manage (Prescribed Particulars and Forms) (England) Regulations 2010(19) are amended as follows.

42. In regulation 5(a) and (b)(i) (additional content of counter-notice), omit “leasehold valuation”.

43. In Schedule 2 (form of claim notice) in Note 1, omit “leasehold valuation”.

44. In Schedule 3 (form of counter-notice) at paragraphs 2 and 3 and at Note 2, omit “leasehold valuation”.

The Mobile Homes Act 1983 (Jurisdiction of Residential Property Tribunals) (England) Order 2011

45. The Mobile Homes Act 1983 (Jurisdiction of Residential Property Tribunals) (England) Order 2011(20) is amended as follows.

46. In article 2 (jurisdiction of residential property tribunals in relation to mobile homes)—

(a) in the heading, omit “residential property”;

(b) for “A residential property tribunal has conferred on it” substitute “The First-tier Tribunal and the Upper Tribunal have conferred on them”;

(c) omit “and to the Housing Act 2004”.

47. Omit article 4 (amendments to the Housing Act 2004).

The Mobile Homes (Written Statement) (England) Regulations 2011

48. In the Mobile Homes (Written Statement) (England) Regulations 2011(21), in the Schedule (written statement under the Mobile Homes Act 1983 required to be given to a proposed occupier of a pitch)—

(a) in paragraph 6, for “a residential property tribunal” substitute “the First-tier Tribunal”;

(b) in paragraphs 7 and 8 omit “residential property”;

(c) in paragraph 11—

(i) for “a Residential Property Tribunal” substitute “the First-tier Tribunal”;

(ii) for “www.rpts.gov.uk or from your local Residential Property Tribunal Office” substitute “the website of the Ministry of Justice: www.justice.gov.uk ”;

(d) in paragraph 14 for “a Residential Property Tribunal” substitute “a tribunal”.

Residential Property Tribunal Procedure and Fees (England) Regulations 2011

49. The Residential Property Tribunal Procedures and Fees (England) Regulations 2011(22) are revoked.

(19) [S.I. 2010/825](#)

(20) [S.I. 2011/1005](#)

(21) [S.I. 2011/1006](#)

(22) [S.I. 2011/1007](#)