

## SCHEDULES

### SCHEDULE 1

Sections 7, 11(3), 19(5).

#### STANDARD AMENITIES

#### PART I

##### TABLE OF STANDARD AMENITIES

<i>Item</i>	<i>Description</i>	<i>Amount allowed (subject to Part III of this Schedule)</i>
1.	A fixed bath or shower	£30
2.	A hot and cold water supply at a fixed bath or shower	£45
3.	A wash-hand basin	£10
4.	A hot and cold water supply at a wash-hand basin	£20
5.	A sink	£15
6.	A hot and cold water supply at a sink	£30
7.	A water closet	£50

#### PART II

##### PROVISIONS APPLICABLE TO CERTAIN AMENITIES

- 1 The fixed bath or shower must be in a bathroom, except in the case mentioned in paragraph 2 of this Schedule.
- 2 If it is not reasonably practicable for the fixed bath or shower to be in a bathroom but it is reasonably practicable for it to be provided with a hot and cold water supply it need not be in a bathroom but may be in any part of the dwelling which is not a bedroom.
- 3 The water closet must, if reasonably practicable, be in, and accessible from within, the dwelling or, if that is not reasonably practicable, in such a position in the curtilage of the dwelling or, where the dwelling is part of a larger building, in that building, as to be readily accessible from the dwelling.

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### PART III

#### LIMIT ON AMOUNT OF STANDARD GRANT OR STANDARD CONTRIBUTION

- 4       The amount of—
- (a) a standard grant, or
- (b) the allowable cost for the purposes of a standard contribution,
- shall not exceed £450 and shall not exceed the sum of the amounts allowable under the following provisions of this Schedule.
- 5       Subject to paragraph 10 of this Schedule, for each of the standard amenities provided there shall be allowed the amount specified for an amenity of that description in the third column of the Table set out in Part I of this Schedule or the amount substituted therefor under the following provisions of this Schedule.
- 6       (1) If the works comprise, in connection with all or any of the amenities provided, the bringing of a piped supply of cold water into the dwelling for the first time there shall also be allowed an amount fixed, in the case of a standard grant, by the local authority and, in the case of a standard contribution, by the Minister.
- (2) The amount to be fixed under this paragraph shall be the amount which in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the bringing of the piped supply into the dwelling.
- 7       (1) If the works comprise the provision of a fixed bath or shower in a bathroom and the bathroom is being provided by the building of a new structure or the conversion of out-buildings attached or to be attached to the dwelling (or to the building of which the dwelling forms part) then, if before the application for the grant or contribution is approved the local authority have, or the Minister has, been satisfied that it is not reasonably practicable to provide the bathroom in any other way there shall be substituted as the amount allowed for that amenity an amount fixed by the local authority or Minister.
- (2) The amount to be fixed under this paragraph shall be such amount, higher than that specified in the Table set out in Part I of this Schedule, as in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the provision of the fixed bath or shower in a bathroom.
- 8       (1) If the works comprise the provision of a water closet and, in connection therewith, the installation of a septic tank or a cesspool then, if before the application for the grant or contribution is approved the local authority have or the Minister has been satisfied that the connection of the water closet with main drainage is not possible or reasonably practicable there shall be substituted as the amount allowed for that amenity an amount fixed by the local authority or Minister.
- (2) The amount to be fixed under this paragraph shall be such amount, higher than that specified in the Table set out in Part I of this Schedule, as in the opinion of the local authority or Minister is one half of such part of the cost proper to be incurred in carrying out the works as is attributable to the provision of the water closet.
- 9       The amount to be fixed under paragraph 6, 7 or 8 of this Schedule shall be fixed by the local authority or Minister when approving the application for the grant or contribution; but if the applicant satisfies the local authority or Minister that the works by reference to the cost of which the amount is fixed cannot be or could

not have been carried out without the carrying out of works in addition to those specified in the application, they or he may substitute a higher amount for that fixed under that paragraph.

- 10 An amount shall not be allowed for more than one amenity of the same description; and no amount shall be allowed for an amenity of any description if at the time the works were begun the dwelling was provided with an amenity of that description, except where the works involved interference with or replacement of that amenity and the local authority are or the Minister is satisfied that it would not have been reasonably practicable to avoid the interference or replacement.

## SCHEDULE 2

Sections 46, 47.

### CERTIFICATES OF FAIR RENT AND REGISTRATION OF RENT FOR CONVERTED TENANCIES

#### PART I

##### APPLICATIONS FOR CERTIFICATES OF FAIR RENT BY LANDLORDS UNDER CONTROLLED TENANCIES

- 1 Where, on an application for a qualification certificate, a local authority have issued a certificate of provisional approval, the applicant may apply to the rent officer for a certificate of fair rent.
- 2 An application made under paragraph 1 of this Schedule must be accompanied by copies of the plans and specifications which accompanied the application for the qualification certificate and of the certificate of provisional approval.
- 3 A certificate of fair rent issued on an application under this Schedule shall specify the rent which would be a fair rent under the regulated tenancy that might arise by virtue of section 43 of this Act if the works shown in the plans and specifications were carried out.
- 4 Schedule 7 to the Rent Act 1968 shall have effect with respect to an application made under this Schedule as if—
- (a) paragraphs 1(c) and 3 were omitted ; and
  - (b) in paragraph 4(1) for the words from the beginning to " he shall serve " there were substituted the words " The rent officer shall serve " , and
  - (c) in paragraph 9 the words preceding sub-paragraph (a) were omitted.

#### PART II

##### APPLICATIONS FOR REGISTRATION

###### *Procedure on application to rent officer*

- 5 On receiving the application for registration the rent officer shall ascertain whether any differences are specified in the qualification certificate in accordance with section 46(4) of this Act.

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*Status: This is the original version (as it was originally enacted).*

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- 6            If no differences are so specified and the application was made not later than three months after the issue of the qualification certificate, the rent officer shall register the rent in accordance with the certificate of fair rent.
- 7            In any other case he shall serve a notice on the tenant informing him of the application and specifying a period of not less than seven days from the service of the notice during which representations in writing may be made to the rent officer against the registration of the rent specified in the certificate.
- 8            Where no such representations are made then, unless it appears to the rent officer that the rent specified in the certificate of fair rent is higher than a fair rent, he shall register that rent and notify the landlord and tenant accordingly.
- 9            (1) Where representations are made as mentioned in paragraph 7 of this Schedule or the rent officer is of opinion that the rent specified in the certificate of fair rent is higher than a fair rent he shall serve notice on the landlord and on the tenant informing them that he proposes, at a time (which shall not be earlier than seven days after the service of the notice) and place specified in the notice to consider in consultation with the landlord and the tenant, or such of them as may appear at that time and place, what rent, not exceeding that specified in the certificate of fair rent, ought to be registered.
- (2) At any such consultation the landlord and tenant may each be represented by a person authorised by him in that behalf, whether or not that person is of counsel or a solicitor.
- 10          (1) The rent officer shall consider, in accordance with the preceding paragraph, what rent ought to be registered, and—
- (a) if, after considering it, he is of opinion that the rent specified in the certificate is not higher than a fair rent he shall register it; but
- (b) if, after considering it, he is of opinion that the rent so specified is higher than a fair rent he shall determine a fair rent and register that rent, as the rent for the dwelling, and shall give notice of the registration to the landlord and the tenant.
- (2) The notice shall state that if, within twenty-eight days of the service of the notice or such longer period as the rent officer or a rent assessment committee may allow, an objection in writing is received by the rent officer from the landlord or the tenant the matter will be referred to a rent assessment committee.
- 11          (1) If such an objection is received, then—
- (a) if it is received within the period of twenty-eight days mentioned in the preceding paragraph or a rent assessment committee so direct, the rent officer shall refer the matter to a rent assessment committee ;
- (b) if it is received after that period, the rent officer may either refer the matter to a rent assessment committee or seek the directions of a rent assessment committee whether so to refer it.
- (2) The rent officer shall indicate in the register whether the matter has been referred to a rent assessment committee in pursuance of this paragraph.

*Determination of fair rent by rent assessment committee*

- 12          The rent assessment committee to whom a matter is referred under paragraph 11 of this Schedule shall serve on the landlord and on the tenant a notice specifying a period of not less than fourteen days from the service of the notice during which

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- either representations in writing or a request to make oral representations may be made by him to the committee.
- 13 Where, within the period specified under paragraph 12 of this Schedule or such further period as the committee may allow, the landlord or the tenant requests to make oral representations the committee shall give him an opportunity to be heard either in person or by a person authorised by him in that behalf, whether or not that person is of counsel or a solicitor.
- 14 (1) The committee shall make such inquiry, if any, as they think fit and consider any representation made to them in pursuance of the preceding paragraphs and—
- (a) if it appears to them that the rent registered by the rent officer has been rightly registered they shall confirm it;
  - (b) in any other case they shall designate as the rent for the dwelling-house either the rent specified in the certificate of fair rent or such lower rent as appears to them to be a fair rent, as the case may require ;
- and they shall notify the landlord, the tenant and the rent officer accordingly.
- (2) On receiving the notification, the rent officer shall, as the case may require, either indicate in the register that the rent has been confirmed or register the rent designated by the committee as the rent for the dwelling.

### SCHEDULE 3

Section 52.

#### RESTRICTION ON RENT INCREASES

##### *Restriction on rent increases after first registration*

- 1 Where a rent for a dwelling which is subject to a regulated tenancy is registered under Part IV of the Rent Act 1968 and the registration is the first—
- (a) after the tenancy has become a regulated tenancy by virtue of Part III of this Act; or
  - (b) after the completion, during the existence of the tenancy, of works towards the cost of which a grant was payable under Part I of this Act;
- then if the rent payable under the tenancy for any statutory period beginning during the period of delay imposed by paragraph 2 of this Schedule is less than the rent so registered, it shall not be increased by a notice of increase under section 22(2) of the Rent Act 1968 except to the extent (if any) permitted under the following provisions of this Schedule ; and any such notice which purports to increase it further shall have effect to increase it to the extent so permitted but no further.

##### *Period of delay*

- 2 There shall be a period of delay with respect to any rent registered as mentioned in paragraph 1 of this Schedule, which shall be—
- (a) if the rent is registered as mentioned in sub-paragraph (a) of that paragraph, a period of four years ;
  - (b) if the rent is registered as mentioned in sub-paragraph (b) of that paragraph, a period of two years ;
- beginning with the date of registration.

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*Permitted increase*

- 3 (1) The rent may be increased to the aggregate of the following:—
- (a) the amount of the previous limit, calculated in accordance with paragraph 4 of this Schedule ;
  - (b) the amount (if any) apportioned to services in accordance with paragraph 5 of this Schedule ; and
  - (c) the appropriate proportion of the difference between the registered rent and the aggregate of the amounts specified in paragraphs (a) and (b) above.
- (2) The appropriate proportion mentioned in sub-paragraph (1)(c) of this paragraph shall be ascertained for any rental period in accordance with the following Table, in which the year of the period of delay in which the rental period begins is shown in the first column and the appropriate proportion in the second or third column, according as the period of delay imposed by paragraph 2 of this Schedule is two years or four years.

TABLE

<i>Year of period of delay</i>	<i>Appropriate Proportion</i>	
	<i>Where period of delay is two years</i>	<i>Where period of delay is four years</i>
1st year	one-third	one-fifth
2nd year	two-thirds	two-fifths
3rd year	—	three-fifths
4th year	—	four-fifths

- (3) Notwithstanding anything in the preceding provisions of this paragraph, the amount to which the rent may be increased for any rental period shall not in any case be less than seven shillings and sixpence a week above the following, that is to say—
- (a) if the rental period begins in the first year of the period of delay, the aggregate of the amounts specified in sub-paragraphs (1)(a) and (1)(b) of this paragraph ;
  - (b) if the rental period begins in a subsequent year, the amount to which the rent could be increased for a rental period beginning in the previous year ;
- but nothing in this paragraph shall be taken to enable the rent to be increased above the amount registered.

*Previous limit*

- 4 (1) For the purposes of this Schedule the previous limit of a rent shall be taken to be, subject to sub-paragraph (2) of this paragraph, the amount which at the date of registration was recoverable by way of the rent or would have been so recoverable if all notices of increase authorised by the Rent Act 1968 or by regulations under section 9 of the Prices and Incomes Act 1968 had been served.
- (2) Where the rent includes an amount payable in respect of rates, the amount so payable, ascertained in accordance with Schedule 4 to the Rent Act, 1968, shall be deducted from the amount specified in sub-paragraph (1) of this paragraph in calculating the previous limit of the rent.

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*Amount to be apportioned to services*

- 5 (1) Where the registered rent includes a payment in respect of services provided by the landlord or a superior landlord, then if—
- (a) the rent is not registered as a variable rent in accordance with section 47(4) of the Rent Act 1968 ; but
  - (b) not less than 10 per cent, of the amount of the registered rent is in the opinion of the rent officer or rent assessment committee fairly attributable to the provision of the services ;
- the amount so attributable shall be noted in the register.
- (2) Where it appears to the rent officer or rent assessment committee that some amount was in the previous limit attributable to the provision of services by the landlord or a superior landlord and was less than the amount noted in pursuance of sub-paragraph (1) of this paragraph, then—
- (a) if the amount so attributable can be ascertained the difference between it and the amount so noted shall be the amount apportioned to the services ;
  - (b) if the amount so attributable cannot be ascertained it shall be taken to be an amount bearing to the previous limit the same proportion as the amount noted in pursuance of sub-paragraph (1) of this paragraph bears to the amount of the registered rent, and the difference between the amount so taken and the amount so noted shall be the amount apportioned to the services ;
- and the amount apportioned to the services in accordance with this sub-paragraph shall also be noted in the register.
- (3) Where it appears to the rent officer or rent assessment committee that no amount was in the previous limit attributable to the provision of services by the landlord or a superior landlord, the amount noted in pursuance of sub-paragraph (1) of this paragraph shall be the amount apportioned to the services and shall be noted as such in the register.

*Restriction on rent increases in cases of further registration during period of delay*

- 6 (1) Where a rent (in this paragraph referred to as the first rent) for a dwelling which is subject to a regulated tenancy has been registered as mentioned in paragraph 1 of this Schedule and, in any year of the period of delay imposed by paragraph 2 of this Schedule, a new rent for the dwelling is registered under Part IV of the Rent Act 1968, then, if the new rent exceeds the rent for the time being recoverable under the regulated tenancy the following provisions of this paragraph shall apply and the preceding provisions of this Schedule shall not apply.
- (2) The rent for any statutory period beginning before the end of the period of delay shall not be increased by a notice of increase under section 22(2) of the Rent Act 1968 except to the extent permitted by the following provisions of this paragraph ; and any such notice which purports to increase it further shall have effect to increase it to the extent so permitted but no further.
- (3) If the new rent is less than the first rent the rent payable under the regulated tenancy may be increased (up to the amount registered) to the same extent as if the first rent had remained registered.
- (4) If the new rent exceeds the first rent the registration shall not affect the amount recoverable for any rental period beginning in the year mentioned in sub-paragraph (1) of this paragraph ; and the rent for any statutory period beginning after

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that year may be increased to an amount arrived at by adding the difference between the first rent and the new rent to the amount to which the rent for that period could have been increased had the first rent remained registered.

*Successive tenancies*

7 Where a rent for a dwelling which is subject to a regulated tenancy is registered as mentioned in paragraph 1 of this Schedule and, during the period of delay imposed by paragraph 2 of this Schedule with respect to the rent, the tenant, or any person who might succeed him as a statutory tenant, becomes the tenant under a new regulated tenancy of the dwelling—

- (a) the rent limit for any contractual period of the new regulated tenancy beginning during that period of delay shall be the amount to which, if the first-mentioned tenancy had continued, the rent payable thereunder could have been increased in accordance with this Schedule for a statutory period beginning at the same time, and in relation to such a contractual period the reference in section 47(3) of the Rent Act 1968 to section 20(2) of that Act shall be construed as a reference to this paragraph ; and
- (b) in relation to any statutory period of the new tenancy beginning during that period of delay the preceding provisions of this Schedule shall have effect as if it were a statutory period of the first-mentioned tenancy.

8 Where—

- (a) a controlled tenancy of a dwelling becomes a regulated tenancy by virtue of Part III of this Act; or
- (b) a dwelling improved by works towards the cost of which a grant is payable under Part I of this Act is, at the time the works are completed, subject to a regulated tenancy ;

and the tenant, or any person who might succeed him as a statutory tenant, becomes the tenant under a new regulated tenancy of the dwelling, then, if during the continuance of the new regulated tenancy a rent for the dwelling is registered under Part IV of the Rent Act 1968 and the registration would be such a registration as is mentioned in paragraph 1 of this Schedule had the regulated tenancy mentioned in sub-paragraph (a) or (b) of this paragraph continued, paragraphs 1 to 6 of this Schedule shall apply as if it had continued, and paragraph 7(a) of this Schedule shall apply with the necessary modifications.

*Application to tenancies converted by order under s. 8 of Rent Act 1968*

9 Where a regulated tenancy of a dwelling has become a regulated tenancy by virtue of an order under section 8 of the Rent Act 1968 and a rent for the dwelling is registered as mentioned in paragraph 1(b) of this Schedule section 27 of that Act (restriction on rent increases) shall thereupon cease to apply to the tenancy.

*Supplemental*

10 In ascertaining for the purposes of this Schedule whether there is any difference between amounts or what that difference is such adjustments shall be made as may be necessary to take account of periods of different lengths ; and for that purpose a month shall be treated as one-twelfth and a week as one fifty-second of a year.

11 Where the rent specified in a certificate of fair rent includes a payment in respect of services provided by the landlord or a superior landlord and the amount which in



the opinion of the rent officer or rent assessment committee is fairly attributable to the provision of the services is not less than ten per cent, of the amount of the rent then, if the application for the certificate is made in pursuance of section 46(2) of this Act or the applicant so requests the amount so attributable shall be noted in the certificate together with the amount to be entered in the register under paragraph 5 of this Schedule as the amount to be apportioned to the services.

- 12 Any amount to be noted in the register or in a certificate of fair rent in pursuance of paragraph 5 or paragraph 11 of this Schedule as an amount fairly attributable to the provision of services shall be included among the matters to be specified in an application for the registration or for the certificate and any such amount and any amount to be so noted as an amount apportioned or to be apportioned to the services shall be included among the matters with respect to which representations may be made or consultations are to be held or notices to be given under Schedule 6 or Schedule 7 to the Rent Act 1968 or Schedule 2 to this Act.
- 13 Where a rent designated or determined by a rent assessment committee is registered in substitution for a rent determined by the rent officer, the preceding provisions of this Schedule shall have effect as if only the rent designated or determined by the rent assessment committee had been registered ; but the date of registration shall be deemed for the purposes of this Schedule (but not for the purposes of section 22(3) of the Rent Act 1968) to be the date on which the rent determined by the rent officer was registered.

#### SCHEDULE 4

Section 66.

#### PART I OF SCHEDULE 2 TO THE HOUSING ACT 1957 AS IT HAS EFFECT BY VIRTUE OF SECTION 66 OF THIS ACT

#### PART I

##### ASCERTAINMENT OF AMOUNT PAYABLE FOR WELL MAINTAINED HOUSES

- 1 (1) Subject to the following provisions of this Part of this Schedule, the amount of any payment made in respect of a house under section 30 or section 60 of this Act shall be an amount equal to the rateable value of the house multiplied by four or such other multiplier as the Minister may by order made by statutory instrument prescribe.
- (2) The amount shall not in any case exceed the amount (if any) by which the full value of the house (that is to say the amount which would have been payable as compensation if it had been purchased compulsorily but not as being unfit for human habitation) exceeds the site value thereof (that is to say the amount which is payable as compensation by virtue of its being purchased compulsorily as being unfit for human habitation, or which would have been so payable if it had been so purchased); and any question as to such value shall be determined, in default of agreement, as if it had been a question of disputed compensation arising on such a purchase.
- (3) Where a payment falls to be made in respect of any interest in the house under Part II of this Schedule or under Schedule 5 to the Housing Act 1969, no payment shall be made in respect of that house under this Part of this Schedule unless the other payment relates to part only of the house, and in that case such part only of the amount which Would otherwise be payable in accordance with the preceding provisions of

this Part of this Schedule shall be payable as may reasonably be attributed to the remainder of the house.

2 An order made by the Minister under this Part of this Schedule shall be of no effect unless it is approved by a resolution of each House of Parliament.

3 (1) For the purposes of this Part of this Schedule the rateable value of a house shall be determined as follows :—

- (a) if the house is a hereditament for which a rateable value is shown in the valuation list in force on the relevant date, it shall be that rateable value ;
- (b) if the house forms part only of such a hereditament or consists of or forms part of more than one such hereditament, its rateable value shall be taken to be such value as is found by a proper apportionment or aggregation of the rateable value or values so shown.

(2) Any question arising under this paragraph as to the proper apportionment or aggregation of any value or values shall be referred to and determined by the valuation officer (within the meaning of the General Rate Act 1967).

(3) In this paragraph " the relevant date", in relation to any house, means—

- (a) if the house was vacated in pursuance of a demolition order or closing order or was declared unfit for human habitation by an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, the date when the order was made ;
- (b) if the house was purchased compulsorily in pursuance of a notice served under section 19 of this Act, the date when the notice was served ;
- (c) if the house was comprised in an area declared a clearance area, the date on which the area was so declared ;
- (d) if the house was purchased compulsorily under section 12 of this Act, the date on which the notice mentioned in that section was served ;
- (e) if the house might have been the subject of a demolition order but was, without the making of such an order, vacated and demolished in pursuance of an undertaking for its demolition given to the local authority, the date on which the undertaking was given.

## SCHEDULE 5

Section 68.

### PAYMENTS TO OWNER-OCCUPIERS AND OTHERS IN RESPECT OF UNFIT HOUSES PURCHASED OR DEMOLISHED

#### *Right to and amount of payments*

1 (1) Where a house has been purchased at site value in pursuance of a compulsory purchase order made by virtue of Part II or Part III of the Act of 1957 or in pursuance of an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, or has been vacated in pursuance of a demolition order under Part II of the Act of 1957, a closing order under section 17 of that Act or a clearance order, then, if—

- (a) the relevant date is later than 23rd April 1968 ; and
- (b) on the relevant date and throughout the qualifying period the house was wholly or partly occupied as a private dwelling and the person so occupying it (or, if during that period it was so occupied by two or more persons in

succession, each of those persons) was a person entitled to an interest in that house or a member of the family of a person so entitled ;

the authority concerned shall make in respect of that interest a payment of an amount determined in accordance with paragraphs 2 and 3 of this Schedule.

- (2) Where an interest in a house purchased or vacated as mentioned in sub-paragraph (1) of this paragraph was acquired by any person (in this sub-paragraph referred to as the first owner) after 23rd April 1968 and less than two years before the relevant date, and a payment under sub-paragraph (1) of this paragraph in respect of that interest would have fallen to be made by the authority concerned had the qualifying period been a period beginning with the acquisition and ending with the relevant date, the authority concerned shall make to the person who was entitled to the interest at the date the house was purchased or vacated a payment of the like amount, if—
    - (a) the authority are satisfied that before acquiring the interest the first owner had made all reasonable enquiries to ascertain whether it was likely that the order, notice or declaration by reference to which the relevant date is defined in paragraph 5(1) of this Schedule would be made or served within two years of the acquisition and that he had no reason to believe that it was likely ; and
    - (b) the person entitled to the interest at the date when the house was purchased or vacated was the first owner or a member of his family.
  - (3) Where during a part of the qualifying period amounting, or during parts thereof together amounting, to not more than one year a person previously in occupation of the whole or part of the house was not in occupation thereof by reason only of a posting in the course of his duties as a member of the armed forces of the Crown or of a change in the place of his employment or occupation he shall be deemed for the purposes of this paragraph to have continued in occupation during that part or those parts.
- 2 Subject to paragraph 3 of this Schedule, the amount of any payment made under the preceding paragraph in respect of an interest shall be an amount equal to its full compulsory purchase value less the compensation which was or would have been payable in respect of the interest in connection with the compulsory purchase of the house at site value.
- 3 (1) The amount which would otherwise be payable under paragraph 1 of this Schedule shall be reduced by such part, if any, of that amount as may reasonably be attributed to any part of the house occupied for any purposes other than those of a private dwelling at the date of the making of the compulsory purchase order, demolition order, closing order, clearance order or order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961.
- (2) Any question arising under this paragraph as to the purposes for which any part of a house was occupied shall be determined by the Minister, and subject thereto the amount of any payment under paragraph 1 of this Schedule in respect of an interest shall be determined (in default of agreement) as if it were compensation payable in respect of the compulsory purchase of the interest under Part III of the Act of 1957, and the payment shall, subject to sub-paragraph (3) of this paragraph, be dealt with as if it were such compensation.
  - (3) Any such payment in respect of an interest which, at the date when the house was purchased compulsorily or, as the case may be, vacated, was held by virtue of an agreement to purchase by instalments shall be made to the person entitled to the interest at that date.

*Provisions as to mortgages and other charges*

- 4 Paragraph 5 of Schedule 2 to the Act of 1957 (relief and adjustments) shall apply in relation to a payment under this Schedule as it applies in relation to a payment under paragraph 4 of that Schedule.

*Interpretation*

- 5 (1) In this Schedule, in relation to any house purchased or vacated, " the relevant date " and " the authority concerned " mean respectively—
- (a) if the house was vacated in pursuance of a demolition order or closing order, the date when and the authority by whom the order was made ;
  - (b) if the house was declared unfit for human habitation by an order under paragraph 2 of Schedule 2 to the Land Compensation Act 1961, the date when the order was made and the acquiring authority within the meaning of that Act;
  - (c) if the house was purchased compulsorily under section 12 of the Act of 1957, the date when and the authority by whom the notice mentioned in that section was served ;
  - (d) if the house was purchased compulsorily in pursuance of a notice served under section 19 of the Act of 1957, the date when and the authority by whom the notice was served ;
  - (e) if the house was comprised in an area declared as a clearance area, the date when and the authority by whom the area was so declared;
- and " the qualifying period " means the period of two years ending with the relevant date, except that where that date is earlier than 22nd April 1970, it means the period beginning with 23rd April 1968 and ending with the relevant date.
- (2) In this Schedule—
- " full compulsory purchase value ", in relation to any interest in a house, means the compensation which would be payable in respect of the compulsory purchase of that interest if that compensation fell to be assessed in accordance with subsections (1) and (4) of section 59 of the Act of 1957 and, in the case of a house subject to a clearance order, demolition order or closing order, the making of that order were a service of the notice to treat;
  - " house " includes any building constructed or adapted wholly or partly as, or for the purposes of, a dwelling;
  - " interest " in a house does not include the interest of a tenant for a year or any less period or of a statutory tenant within the meaning of the Rent Act 1968;
  - " site value", in relation to the compulsory purchase of a house, means compensation in respect thereof assessed in accordance with the provisions of section 59(2) of the Act of 1957 (or under the corresponding provisions applicable to any compulsory purchase under Part II of that Act).
- (3) For the purposes of this Schedule, a house which might have been the subject of a demolition order but which has, without the making of such an order, been vacated and demolished in pursuance of an undertaking for its demolition given to the local authority having power to make the order shall be deemed to have been vacated in pursuance of a demolition order made and served by that authority at the date when the undertaking was given.

*Status: This is the original version (as it was originally enacted).*

- (4) In this Schedule references to a demolition order do not include such an order in respect of a house already subject to a closing order so far as it affects any part of the house in relation to which a payment under section 30 of the Act of 1957, Schedule 2 to that Act or this Schedule has fallen to be made in respect of the closing order.
- (5) For the purposes of this Schedule a person who on the death of another became entitled to any interest of his shall be deemed to have been entitled to that interest as from the date of the death.

## SCHEDULE 6

Section 68.

### AMENDMENTS OF HOUSING ACT 1957, SCHEDULE 2 PART II

- 1 In paragraph 4(1)(b) the words "the proviso to subsection (1) of " shall be omitted.
- 2 For sub-paragraph (7) of paragraph 4 there shall be substituted the following—
  - “(7) For the purposes of this paragraph a person is a member of another's family if that person is—
    - (a) the other's wife or husband ; or
    - (b) a son or daughter or a son-in-law or daughter-in-law of the other, or of the other's wife or husband ; or
    - (c) the father or mother of the other, or of the other's wife or husband.

In paragraph (b) of this sub-paragraph any reference to a person's son or daughter includes a reference to any stepson or stepdaughter, any illegitimate son or daughter, and any adopted son or daughter, of that person, and " son-in-law " and " daughter-in-law " shall be construed accordingly.”
- 3 In the proviso to paragraph 6(2), for the word "ten" there shall be substituted the word " two ".
- 4 In paragraph 7(3), for the words " or under this Schedule" there shall be substituted the words " under this Schedule or under Schedule 5 to the Housing Act 1969 ".

## SCHEDULE 7

Section 81.

### AMOUNT OF PREMIUM PERMISSIBLE UNDER SECTION 81

- 1 Where this Schedule applies to any tenancy and a premium was lawfully required and paid on the grant or an assignment of the tenancy nothing in section 86 of the Rent Act 1968 shall prevent any person from requiring or receiving, on an assignment of the tenancy, such part of the premium or, if more than one, of the last of them as is determined in accordance with the following provisions of this Schedule as the permissible part (without prejudice, however, to his requiring or receiving a greater sum in a case where he may lawfully do so under Schedule 11 to that Act).
- 2 The permissible part shall be such part of the premium as bears to the whole thereof the same proportion as the period referable to that part bears to the period referable to the premium ; and there shall be taken, as the period referable to the premium—

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- (a) if it was paid on the grant of the tenancy, the term for which the tenancy was granted ; and
- (b) if it was paid on an assignment of the tenancy, the residue of that term at the date of the assignment;

and, as the period referable to the permissible part, the residue of that term at the date of the assignment in connection with which that part may be required and received in pursuance of this Schedule.

3 Where the tenancy to which this Schedule applies was granted on the surrender of a previous tenancy and a premium had been lawfully required and paid on the grant or an assignment of the previous tenancy, the surrender value of the previous tenancy shall be treated, for the purposes of this Schedule, as a premium or, as the case may be, part of the premium, paid on the grant of the tenancy to which this Schedule applies.

4 For the purposes of paragraph 3 of this Schedule the surrender value of the previous tenancy shall be taken to be the amount which, had the previous tenancy been assigned instead of being surrendered and had this Schedule applied to it, would have been the amount that could have been required and received on the assignment in pursuance of this Schedule.

5 In determining for the purposes of this Schedule the amount which may be or could have been required and received on the assignment of a tenancy terminable, before the end of the term for which it was granted, by notice to the tenant, that term shall be taken to be a term expiring at the earliest date on which such a notice given after the date of the assignment would have been capable of taking effect.

## SCHEDULE 8

Sections 58 and 89.

### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART I

#### AMENDMENTS CONSEQUENTIAL ON SECTION 58

##### *The Housing Act 1957*

1 In section 90(1) of the Housing Act 1957, for the words from " or of part" to " family" there shall be substituted the words " which is occupied by persons who do not form a single household ".

##### *The Housing Act 1961*

2 In sections 12, 13(1), 13(2), 15, 16 and 21(1) of the Housing Act 1961, for the words "a house which, or a part of which, is let in lodgings or which is occupied by members of more than one family" there shall be substituted the words " a house which is occupied by persons who do not form a single household ".

3 In section 21(1) of that Act, for the words "wholly or partly let in lodgings or occupied by members of more than one family" there shall be substituted the words " occupied by persons who do not form a single household ".

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- 4 In section 22(1) of that Act, for paragraph (a) there shall be substituted:  
“(a) of houses which are occupied by persons who do not form a single household, and”.

*The Housing Act 1964*

- 5 In sections 67, 69, 72 and 73 of the Housing Act 1964, for the words "which, or a part of which, is let in lodgings, or which is occupied by members of more than one family" there shall be substituted the words " which is occupied by persons who do not form a single household ".

**PART II**

OTHER AMENDMENTS

*The Housing Act 1957*

- 6 In section 11(3) of the Housing Act 1957, after the words "against a notice" there shall be inserted the words " under section 9(1) of this Act. "
- 7 In section 30(7) of that Act, for the words "or under the Second Schedule to this Act" there shall be substituted the words " under Schedule 2 to this Act or under Schedule 5 to the Housing Act 1969 ".
- 8 In section 91 of that Act, for the words " Part I of this Act" there shall be substituted the words " section 70 of the Housing Act 1969 ".
- 9 In section 121 of that Act the following shall be substituted for subsection (3) :  
“(3) In this section the reference to repair is a reference to such repair or replacement as either is incidental to the execution of works of improvement, alteration or enlargement or is in the opinion of the local authority needed for making such works fully effective.”
- 10 Section 98 of that Act shall apply as if the reference therein to a purchase under Part V of that Act of a house to be used for housing purposes included a reference to a purchase under Part II of this Act of any house.
- 11 Sections 101, 159, 160, 169 and 170 of that Act shall apply as if the references therein to that Act or Part V thereof included references to Part II of this Act.
- 12 Sections 171 to 176 of that Act shall apply as if references therein to that Act included references to Parts I and II of this Act.
- 13 Section 179 of that Act shall apply as if the reference therein to that Act included a reference to this Act.
- 14 Section 181(1) of that Act shall apply as if the reference therein to that Act included a reference to Part II of this Act.
- 15 Section 187(1) of that Act shall apply as if the reference therein to that Act included a reference to this Act.

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*The Housing (Financial Provisions) Act 1958*

- 16 In section 25 of the Housing (Financial Provisions) Act 1958 references to sections 1 to 9 of that Act shall include references to sections 17 to 21 of this Act.
- 17 Section 28 of that Act shall apply in relation to any payment made by the Minister to a local authority under this Act.
- 18 In section 50(1)(b) of that Act for the words " or are deemed " there shall be substituted the words " or were deemed ".
- 19 Section 54 of that Act shall apply as if the references therein to that Act included references to this Act.
- 20 In section 58(2) of that Act there shall be added at the end the words " section 18 or section 19 of the Housing Act 1969 ".

*The Land Compensation Act 1961*

- 21 At the end of paragraph 2(1)(g) of Schedule 2 to the Land Compensation Act 1961 there shall be added the words "or  
     (h) an acquisition under Part II of the Housing Act 1969".
- 22 In paragraph 2(2) of that Schedule for the words " subsections (2) and (3)" there shall be substituted the words " subsection (2) " and for the words from "section fifty-seven" to "sub-paragraph (1) of this paragraph " there shall be substituted the words " Part III of that Act as being unfit for human habitation ".
- 23 In paragraph 3(2) of that Schedule there shall be added at the end of paragraph (b) the words " or under Schedule 5 to the Housing Act 1969 ".
- 24 In paragraph 6(2) of that Schedule the following shall be substituted for paragraph (c):  
     “(c) subsection (2) of section 59 (which relates to the purchase of land comprised in a clearance area)”.

*The Housing Act 1964*

- 25 In section 34(3) of the Housing Act 1964 for the words " the Rent Act 1957 " there shall be substituted the words " the Rent Act 1968 ".
- 26 In section 43(1) of that Act the following shall be substituted for paragraph (g):—  
     “(g) a sink”.
- 27 In section 43(7) of that Act for the words " section 4 " there shall be substituted the words " section 7 of the Housing Act 1969 ".
- 28 In section 57(4) of that Act for the words from " section 4 " to " 1958" there shall be substituted the words " Part I of the Housing Act 1969 ".
- 29 Section 69 of that Act shall have effect, except in relation to anything done before the commencement of this Act, as if for the reference to 13th November 1963 there were substituted a reference to any date not earlier than the commencement of this Act and as if the standard amenities mentioned in that section were defined as in this Act.



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*The General Rate Act 1967*

- 30 Paragraph 2 of Schedule 13 to the General Rate Act 1967 shall have effect—
- (a) as if the reference in sub-paragraph (1)(b) of that paragraph to proposals approved under section 9 of the Housing (Financial Provisions) Act 1958 included a reference to applications approved under section 18 of this Act; and
  - (b) as if the grants referred to in sub-paragraph (1)(c) of that paragraph included grants and contributions to a housing association under Part I of this Act.

*The Housing Subsidies Act 1967*

- 31 In section 14(5)(a) of the Housing Subsidies Act 1967 for the word " 1965 " there shall be substituted the word " 1969 ".

*The Rent Act 1968*

- 32 In section 57 of the Rent Act 1968, in subsection (1)(a), after the words " (standard grants) " there shall be inserted the words " Part I of the Housing Act 1969 (improvement grants and standard grants) ", and in subsection (2)(b) after the words " House Purchase and Housing Act 1959 " there shall be inserted the words " or Part I of the Housing Act 1969 "
- 33 At the end of paragraph 26(2) of Schedule 16 to that Act there shall be added the words " and a statutory tenancy so arising in relation to which the said section 39 does not have effect shall be deemed to be a controlled tenancy within the meaning of this Act ".

SCHEDULE 9

Section 89.

SAVINGS AND TRANSITIONAL PROVISIONS

- 1 The repeal by this Act of any enactment relating to any grant, contribution or subsidy shall not affect any power or duty to act on any application or arrangements made or proposals approved before the commencement of this Act, any power to reduce the rate at which any such grant, contribution or subsidy is to be paid, any obligation to observe any condition falling to be observed in pursuance of such an enactment, any obligation to make a payment in consequence of a breach of such a condition, any power to vary the rate of interest on such a payment or the imposition of such a condition by such an enactment in a case where a standard grant or improvement grant is paid by virtue of this paragraph.
- 2 The repeal by this Act of section 18 of the Housing (Financial Provisions) Act 1958 is without prejudice to the exercise, with respect to any event occurring before the commencement of this Act, of any power under that section.
- 3 The repeal by this Act of references in any provision of the Rent Act 1968 to any enactment contained in the Housing (Financial Provisions) Act 1958 or the House Purchase and Housing Act 1959 does not affect the operation of that provision in relation to any grant paid in pursuance of an application made before the commencement of this Act.

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- 4 The repeal by this Act of section 16 of the Rent Act 1968 does not affect the operation of that section in relation to the letting of any dwelling-house while the conditions mentioned in that section require to be observed.
- 5 The repeal by this Act of section 49 of the Rent Act 1968 does not affect the operation of that section in relation to any dwelling-house while such a condition relating to the rent of the dwelling-house as is mentioned in that section requires to be observed.
- 6 The references in sections 2(4) and 12 of this Act to a standard grant shall be construed as including references to a grant under section 4 of the House Purchase and Housing Act 1959.
- 7 The references in section 20 of this Act to a standard contribution and to the allowable cost determined under section 19 of this Act shall be construed respectively as including references to a contribution under section 13 of the House Purchase and Housing Act 1959 and one-half of the amount referred to in section 14(1) of that Act or, as the case may be, section 51 of the Housing Act 1964.

## SCHEDULE 10

Section 88.

### ENACTMENTS REPEALED

Chapter	Short Title	Extent of repeal
5 & 6 Eliz. 2. c. 56.	The Housing Act 1957.	<p>Section 3.</p> <p>In section 4(1)(h) the word "storage".</p> <p>In section 30(2) the words "the proviso to subsection (1) of".</p> <p>Sections 55 to 57.</p> <p>In section 59, subsection (3) and the words " or (3) " in subsection (4).</p> <p>In section 61 the words " or redevelopment area ".</p> <p>In section 63(1) paragraph (c) and the word " or " preceding that paragraph.</p> <p>In section 67, in subsection (1) the words " or in a re-development plan or a new plan " and the words " or the approval of the plan ", and in subsection (2) the words " or approval ".</p> <p>In section 70, in subsection (1) the</p>

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Chapter	Short Title	Extent of repeal
<p>6 &amp; 7 Eliz. 2. c. 42.</p>	<p>The Housing (Financial Provisions) Act 1958.</p>	<p>words "or in the case of premises comprised in a redevelopment plan approved by him "; and in subsection (2) the words " or re-development plan", the words "or approved" the words " or as a proposed re-development area ", the words "or of the re-development plan" the words " or plan " (in both places) and the words " or the re-development area ".</p> <p>In Schedule 2, in paragraph 4(1)(b) the words " the proviso to subsection (1) of ", paragraph 4(6)(b), and, in paragraph 7(2) in the definition of " site value " the words " or (3) ".</p> <p>In Schedule 3, in Part I, the proviso to paragraph 2(1), paragraphs 5 and 6; and in Part III, in paragraph 4 the words from " (a) where the premises" to " in any other case", and paragraph 5.</p> <p>In Schedule 4, in paragraph 2, the words from " or by the Minister's " to " new plan ", the words " or of the approval of the plan" and the words " or the approval of the plan ", wherever they occur; and in paragraph 3 the words " or the approval of the plan", the words " or the approval is given, as the case may be" and the words " or of the approval of the plan ".</p> <p>Section 9.</p> <p>Section 12.</p> <p>Section 18, except so far as it relates to payments other than those specified in section 77(2) of this Act.</p> <p>Sections 30 to 42.</p>

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Chapter	Short Title	Extent of repeal
7 & 8 Eliz. 2. c. 33.	The House Purchase and Housing Act 1959.	<p>Schedule 4.</p> <p>Part II.</p> <p>Section 28(2).</p> <p>In section 29(1), in the definition of "improvement grant" the words " under section 30 of the Act of 1958 or" and, in the definition of "standard amenities ", the words from " in Part II " to "Act and ".</p> <p>In Schedule 1, paragraphs 1, 2 and 9.</p>
9 & 10 Eliz. 2. c. 33.	The Land Compensation Act 1961.	In Schedule 2, in paragraph 1(2)(b) the words from " or which" to "Act" and the words from " or did not" to " may be ".
9 & 10 Eliz. 2. c. 65.	The Housing Act 1961.	<p>Section 12(2).</p> <p>Section 22(5).</p> <p>In section 24(5) paragraph (b) and the word " and " preceding that paragraph.</p> <p>In Schedule 2, paragraph 9.</p> <p>In Schedule 3, paragraph 6(2).</p>
1964 c. 56.	The Housing Act 1964.	<p>In section 13, subsections (1) to (3) and (5).</p> <p>Section 20(4).</p> <p>Part III except sections 57 and 59.</p> <p>In section 67(3) the words from " of individuals or a number " to " households ".</p>
1967 c. 29.	The Housing Subsidies Act 1967.	Section 12.
1968 c. 23.	The Rent Act 1968.	<p>Section 16.</p> <p>In section 25(4)(a), the words from " section 30 " to " (standard grants) or ".</p>

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Chapter	Short Title	Extent of repeal
		In section 31(a) the words from "section 30" to "(standard grants) or ". Section 49. In section 50(2) the words " or section 49 ".