

SCHEDULES

SCHEDULE 13

Section 132.

AMENDMENTS OF THE RENT (SCOTLAND) ACT 1971

- 1 In section 5(2) (no protected or statutory tenancy where landlord's interest belongs to local authority etc.), for paragraph (a) there shall be substituted the following paragraph—
 - “(a) a regional, islands or district council, or a joint board or joint committee as respectively defined by the Local Government (Scotland) Act 1973, or the common good of an islands or district council or any trust under the control of a regional, islands or district council.”.
- 2 In section 37 (registration areas and rent officers)
 - (a) for subsection (1) there shall be substituted the following subsection—
 - “(1) The registration areas for the purposes of this Part of this Act shall be the districts and islands areas.”;
 - (b) after subsection (1) there shall be inserted the following subsection—
 - “(1A) The Secretary of State may, after consultation with the local authority or local authorities concerned, make directions
 - (a) as to the groupings of registration areas or parts thereof, or
 - (b) deeming any part of a registration area to be a separate registration area,and any reference in this Part of this Act to a registration area shall include a reference to a grouping of registration areas or parts thereof and any area deemed to be a separate registration area by virtue of this subsection.”;
 - (c) in subsection (2), after the words " local authority" there shall be inserted the words " or local authorities " and the words from " and for the purposes " to the end shall cease to have effect;
 - (d) after subsection (2) there shall be inserted the following subsection—
 - “(2A) Where the Secretary of State makes a direction under subsection (1A) above, or an appointment under subsection (2) above, which is to come into force on 16th May 1975, he shall be deemed to have consulted the local authority or local authorities concerned for the purposes of the said subsection (1A) or (2) if he has consulted either the existing or the new local authority or local authorities before that date.”;
 - (e) subsection (6) shall cease to have effect.
- 3 At the end of section 39 (register of rents) there shall be added the following subsections—
 - “(5) Any entry—

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- (a) in a register (hereinafter referred to as " the old register ")
 - (i) which is kept under this section before 16th May 1975, or
 - (ii) which is kept for any area which ceases to be a registration area as a result of the establishment of a new registration area, or
 - (b) in a separate part of an old register in which rents are registered for dwelling-houses in respect of tenancies to which sections 60 to 66 of the Housing (Financial Provisions) (Scotland) Act 1972 apply, which relates to a dwelling-house which is situated in a new registration area shall be deemed for the purposes of this Part of this Act to be an entry in the register or, as the case may be, in such a separate part of the register kept under this section for that new registration area.
- (6) The old register shall be kept by such rent officer, and made available for inspection in such place or places and in such manner as the Secretary of State may direct; and subsections (3) and (4) above shall apply to any entry in the old register which is deemed to be an entry in the register kept for a new registration area.
- (7) In this section " new registration area " means a registration area established under section 37 of this Act on or after 16th May 1975.”.
- 4 At the end of section 61 (register of determinations of tribunal) there shall be added the following subsection—
- “(4) Subsections (4), (5) and (6) of section 89 of this Act shall apply subject to any necessary modifications for the purposes of this section and this Part of this Act as they apply for the purposes of section 89 and Part VII of this Act.”.
- 5 In section 66(1) (service of notices, etc.) for the reference to section 349 of the Local Government (Scotland) Act 1947 there shall be substituted a reference to subsections (1) to (4) and (6) of section 192 of the Local Government (Scotland) Act 1973.
- 6 For section 83 (operation of Part VII) there shall be substituted the following section—

“83 Registration areas for purposes of Part VII.

- (1) The registration areas for the purposes of this Part of this Act shall be the districts and islands areas.
- (2) The Secretary of State may after consultation with the local authority or local authorities concerned, make directions—
 - (a) as to the groupings of registration areas, or parts thereof, or
 - (b) deeming any part of a registration area to be a separate registration area.
- (3) Where the Secretary of State makes a direction under subsection (2) above which is to come into force on 16th May 1975, he shall be deemed to have consulted the local authority or local authorities concerned for the purposes of that subsection if he has consulted either the existing or the new local authority or local authorities before that date.

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- (4) Any reference in this Part of this Act to a registration area shall include a reference to a grouping of registration areas or parts thereof and any area deemed to be a separate registration area by virtue of a direction under subsection (2)(b) above.”
- 7 For section 84(1) (rent tribunals) there shall be substituted the following subsection—
- “ (1) For each registration area there shall be a tribunal (in this Part of this Act referred to as a " rent tribunal "). ”.
- 8 In section 85(1) (contracts) the words from " and which is situated " to the end shall cease to have effect.
- 9 At the end of section 89 (register of rents under Part VII contracts) there shall be added the following subsections—
- “ (4) Any entry in a register (hereinafter referred to as " the old register ")
- (a) which is kept under this section before 16th May 1975, or
- (b) which is kept for any area which ceases to be a registration area as a result of the establishment of a new registration area,
- which relates to a dwelling-house which is situated in a new registration area shall be deemed for the purposes of this Part of this Act to be an entry in the register kept under this section for that new registration area.
- (5) The old register shall be kept by such rent tribunal and made available for inspection in such place or places and in such manner as the Secretary of State may direct; and subsection (3) above shall apply to any entry in the old register which is deemed to be an entry in the register kept for a new registration area.
- (6) In this section " new registration area " means a registration area established under this Part of this Act on or after 16th May 1975. . ”
- 10 In section 97 (local authorities for Part VII), subsection (1) shall cease to have effect.
- 11 In section 133(1) (interpretation)—
- (a) after the definition of " let " there shall be inserted the following—
- “ " local authority " means an islands council or district council; ”;
- (b) after the definition of " rateable value " there shall be inserted the following—
- “ " rates " means any charges payable in respect of a rate as defined in the Local Government (Scotland) Act 1947 ; ”.