
Changes to legislation: There are currently no known outstanding effects for the Rent Act 1977, Cross Heading: Existing statutory tenants. (See end of Document for details)

SCHEDULES

SCHEDULE 24

SAVINGS AND TRANSITIONAL PROVISIONS

Existing statutory tenants

- 2 (1) If, immediately before the commencement of this Act, a person (the “existing statutory tenant”) was a statutory tenant of a dwelling-house by virtue of any enactment repealed by this Act (a “repealed enactment”) that person shall, on the commencement of this Act, be a statutory tenant of the dwelling-house for the purposes of this Act.
- (2) If, immediately before the existing statutory tenant became a statutory tenant, he was a tenant of the dwelling-house under a tenancy then, for the purposes of this Act, he shall be the statutory tenant by virtue of his previous protected tenancy.
- (3) If the existing statutory tenant became a statutory tenant on the death of a person who was himself a tenant or statutory tenant of the dwelling-house then, for the purposes of this Act, the existing statutory tenant shall be a statutory tenant by succession; and, unless he became a statutory tenant by virtue of section 13 of the ^{M1}Rent Act 1965, or paragraph 6 or 7 of Schedule 1 to the ^{M2}Rent Act 1968, he shall be deemed to be the first successor within the meaning of Schedule 1 to this Act.
- (4) If the existing statutory tenant became a statutory tenant by virtue of an exchange under section 17 of the ^{M3}Rent Act 1957 or section 14 of the ^{M4}Rent Act 1968 then, for the purposes of this Act, he shall be deemed to be the statutory tenant by virtue of his previous protected tenancy or, as the case may be, a statutory tenant by succession, if immediately before the commencement of this Act he was so deemed for the purposes of the ^{M5}Rent Act 1968.
- (5) If, by virtue of sub-paragraph (4) above, the existing statutory tenant is for the purposes of this Act a statutory tenant by succession, he shall be deemed to be the first successor, within the meaning of Schedule 1 to this Act if, and only if, the person who was a statutory tenant immediately before the date of exchange was not a statutory tenant by virtue of section 13 of the ^{M6}Rent Act 1965 or paragraph 6 or 7 of Schedule 1 to the ^{M7}Rent Act 1968.
- (6) Without prejudice to the case where by virtue of sub-paragraph (4) or (5) above, the existing statutory tenant is deemed to be a statutory tenant by succession but is not deemed to be the first successor, within the meaning of Schedule 1 to this Act, paragraphs 5 to 7 of that Schedule shall not apply where the existing statutory tenant, or the person on whose death he became a statutory tenant, became a statutory tenant by virtue of an exchange under section 17 of the ^{M8}Rent Act 1957 or section 14 of the ^{M9}Rent Act 1968.

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Marginal Citations

- M1** 1965 c. 75.
- M2** 1968 c. 23.
- M3** 1957 c. 25.
- M4** 1968 c. 23.
- M5** 1968 c. 23.
- M6** 1965 c. 75.
- M7** 1968 c. 23.
- M8** 1957 c. 25.
- M9** 1968 c. 23.

- 3 (1) A person who, at any time before the commencement of this Act, became a statutory tenant of a dwelling-house by virtue of—
- (a) section 12(10) of the ^{M10}Increase of Rent and Mortgage Interest (Restrictions) Act 1920 (under which workmen housed in certain dwelling-houses taken over by the Government during the 1914-18 war were to be treated as tenants of the landlords of those houses); and
 - (b) section 4 of the ^{M11}Requisitioned Houses and Housing (Amendment) Act 1955 (under which certain requisitioned dwelling-houses were returned to their owners on condition that the owners accepted the existing licensees as statutory tenants),
- (and not by way of succession to a previous statutory tenancy) shall be treated for the purposes of this Act as having become the statutory tenant of that dwelling-house on the expiry of a protected tenancy thereof.
- (2) A person who, on or after the commencement of the ^{M12}Rent Act 1965, retained possession of a dwelling-house by virtue of section 20 of that Act (which made transitional provisions in relation to tenancies which expired before the commencement of that Act) shall be deemed to have done so under a statutory tenancy arising on the termination of a tenancy which was a regulated tenancy, and the terms as to rent and otherwise of that tenancy shall be deemed to have been the same, subject to any variation specified by the court, as those of the tenancy mentioned in subsection (1) of that section (that is to say, the tenancy which ended before the commencement of the ^{M13}Rent Act 1965 but which would have been a regulated tenancy if that Act had then been in force).

Marginal Citations

- M10** 1920 c. 17.
- M11** 1955 c. 24.
- M12** 1965 c. 75.
- M13** 1965 c. 75.

- 4 A statutory tenancy subsisting at the commencement of this Act under section 4 of the ^{M14}Requisitioned Houses and Housing (Amendment) Act 1955 shall be treated, for the purposes of this Act—
- (a) as a regulated tenancy if, by virtue of section 10 of the ^{M15}Rent Act 1965, it fell to be treated as a regulated tenancy after 31st March 1966; and
 - (b) in any other case, as a controlled tenancy.

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Marginal Citations

M14 1955 c. 24.

M15 1965 c. 75.

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