

SCHEDULE 1

Article 2

AMENDMENTS OF ENACTMENTS

THE RENT (SCOTLAND) ACT 1984

1. The Rent (Scotland) Act 1984 shall be amended in accordance with paragraphs 2 to 7.
2. In section 46 (applications for registration of rents) after subsection (3) there shall be inserted the following subsection—
 - “(3A) An application such as is mentioned in subsection (3) above shall not be entertained on the ground only that, since the relevant date, there has been a change in the amount of council tax payable in respect of the dwelling-house.”.
3. In section 49 (amount to be registered as rent)—
 - (a) in subsection (1) after the word “services” there shall be inserted the words “or in respect of council tax”;
 - (b) in subsection (2) after paragraph (c) there shall be added the following paragraph—
 - “(d) the council tax.”.
4. In section 56 (rents to be registrable under Part V) in subsection (2)(1) for the word “49” there shall be substituted the word “49A”.
5. In section 66(2) (powers of rent assessment committees on reference of contracts) after subsection (4) there shall be added the following subsection—
 - “(5) A rent assessment committee shall not entertain a reference under subsection (4) above on the ground only that, since the relevant date, there has been a change in the amount of council tax payable in respect of the dwelling-house.”.
6. In section 67 (register of rents under Part VII contracts) after subsection (2) there shall be inserted the following subsection—
 - “(2A) For the purposes of subsection (2) above the rent shall include any sums payable by the lessee to the lessor in respect of council tax, whether those sums are payable by virtue of a contract under which a rent is payable or otherwise.”.
7. In section 81 (interpretation of Part VII) in subsection (1) before the definition of “dwelling-house” there shall be inserted the following—
 - ““council tax” means the tax payable under the Local Government Finance Act 1992;”.

THE HOUSING (SCOTLAND) ACT 1988

8. The Housing (Scotland) Act 1988 shall be amended in accordance with paragraphs 9 to 11.
9. In section 24 (increases of rent under assured tenancies) in subsection (2)—
 - (a) after the word “is” where it first occurs there shall be inserted the words “except in a case where section 25A applies”; and
 - (b) at the end of paragraph (b) there shall be added the following—
 - “and in any case to which section 25A applies, one month”.

(1) Section 56(2) was amended by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1985 (c. 73), Schedule 2, paragraph 28 and the Housing (Scotland) Act 1988 (c. 43), Schedule 10.

(2) Section 66(1) was amended by the Housing (Scotland) Act 1987 (c. 26), Schedule 23, paragraph 29(5) and by the Housing (Scotland) Act 1988, section 68 and Schedule 10.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

10. In section 25 (determination of rent by rent assessment committee) in subsection (3) after the word “services” there shall be inserted the words “or in respect of council tax”.

11. In section 55 (interpretation of Part II) in subsection (1) before the definition of “house” there shall be inserted the following—

““council tax” means the tax payable under the Local Government Finance Act 1992;”.