LANDLORD AND TENANT, ENGLAND

RENT RESTRICTION

The Landlord and Tenant (Rent Control) Regulations, 1949

1949 No. 1096

Made - - - - 10*th June*, 1949

M.H. 109343.

The Minister of Health, in exercise of the powers conferred on him by sections 5 (2) (*b*) and 6 (5) of the Landlord and Tenant (Rent Control) Act, 1949(**a**), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

General

1.—(1) These regulations may be cited as the Landlord and Tenant (Rent Control) Regulations, 1949, and shall come into operation forthwith.

(2) In these regulations, the following expressions have the meanings hereby assigned to them—

"the Act" means the Landlord and Tenant (Rent Control) Act, 1949; and

"Tribunal" means Tribunal having jurisdiction by virtue of section 6 of the Act in the district in which any dwelling house the subject of an application under section 1 thereof is situated.

(3) The Interpretation Act, 1889(**b**), applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Register

2. The matters required to be contained in the register kept by a local authority under section 5 of the Act shall include the particulars set out in the schedule to these regulations with regard to the terms and conditions of the tenancy of any dwelling house in the area of that local authority in respect of which a determination has been made under section 1 of the Act.

Proceedings before Tribunals

3. All applications under the Act to a Tribunal shall be made in writing, and shall specify the address of the dwelling house to which the application relates, the names of the landlord and tenant and the address of the landlord.

4. Where an application is made to a Tribunal, the Tribunal shall give notice in writing to each party to the tenancy of the dwelling house in respect of which the application is made informing him that he may within such time as the Tribunal may allow (not being less than seven days from the date of the notice) give notice to the Clerk of the Tribunal that he desires to be heard by them, or may send to the Clerk of the Tribunal representations in writing:

Provided that the Tribunal may extend the time stated in the notice.

(**a**) 12, 13 & 14 Geo. 6. c. 40. (**b**) 52 & 53 Vict. c. 63.

5. If either party to the tenancy informs the Clerk of the Tribunal that he desires to be heard the Tribunal shall give to each party not less than seven clear days notice in writing of the time and place at which the parties will be heard.

6.—(1) Where on an application under section 1 of the Act it appears to the Tribunal that such a premium as is mentioned in paragraph 1 of the First Schedule to the Act has been paid, any requirement of the tenant that the Tribunal shall issue a certificate that Part I of that Schedule applies shall be made by notice in writing to the Tribunal.

(2) Before issuing a certificate to that effect, the Tribunal shall take such steps as may be reasonably possible to secure that the person to whom it appears that the premium was paid, or if he is dead his legal personal representatives, are supplied with a copy of such notice as aforesaid.

(3) A person to be supplied with a copy of such notice as aforesaid shall be treated as a person to whom a notice is required to be given under regulation 4 of these regulations, and that regulation and regulation 5 shall apply accordingly, with the necessary modifications.

7. At any hearing before a Tribunal any interested party may appear in person or by counsel or a solicitor or by any other representative or may be accompanied by any person whom he may wish to assist him at the hearing.

8.—(1) Subject to the provisions of these regulations the procedure at a hearing shall be such as the Tribunal may determine, and the Tribunal may, if they think fit, and at the request of either party shall, unless for some special reason they consider it undesirable, allow the hearing to be held in public.

(2) The Tribunal may postpone or adjourn the hearing from time to time as they think fit.

9.—(1) Where there is a difference of opinion between the members of a Tribunal as to any matter requiring to be determined or certified under the Act, the matter shall be decided by the opinion of a majority of the members.

(2) All determinations made and certificates issued by a Tribunal under the Act shall be in writing and shall be signed by the chairman.

10. Where any notice is required or authorised by the Act or these regulations to be given by the Tribunal, the notice may be sent by post in a pre-paid letter addressed to the person for whom it is intended at his usual or last known address.

SCHEDULE

Particulars to be included by virtue of regulation 2 in the register kept by a local authority—

1. Names of tenant and landlord.
2. Term of tenancy.
3. Period for which payments of rent are made.
4. Whether landlord or tenant is liable for internal repairs, external repairs, rates, insurance.
5. Any terms or conditions as to assignment, under-letting or taking in of lodgers.

6. Specification of any accommodation shared by the tenant with other tenants, and terms and conditions of the sharing.
7. Services provided by the landlord.

Given under the official seal of the Minister of Health this tenth day of June, nineteen hundred and forty-nine.

(L.S.)

J. C. Wrigley,
Deputy Secretary,
Ministry of Health.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations require the particulars set out in the schedule with regard to the terms and conditions of the tenancy of a dwelling house in respect of which a determination has been made under section 1 of the Act to be included in a register kept by a local authority under section 5 of the Act, in addition to the other matters which are required to be contained in the register pursuant to the provisions of that section.

The regulations also contain provisions regulating the proceedings before Tribunals having jurisdiction for the purposes of section 1 of the Act.

LANDLORD AND TENANT, SCOTLAND

1. *Rent Restriction.*

2. *Scottish Land Court (Exchequer Fees)*, p. 2418.

1. RENT RESTRICTION

The Landlord and Tenant (Rent Control) (Scotland) Regulations, 1949

1949 No. 1257 (S. 90)

Made - - - -	1*st July*, 1949
Coming into Operation	1*st July*, 1949

The Secretary of State, in exercise of the powers conferred on him by sections 5 and 6, as read along with section 17, of the Landlord and Tenant (Rent Control) Act, 1949(a), and of all other powers enabling him in that behalf, hereby makes the following regulations:—

GENERAL

1.—(1) These regulations may be cited as the Landlord and Tenant (Rent Control) (Scotland) Regulations, 1949.

(2) In these regulations the following expressions have the meanings hereby assigned to them—

"the Act" means the Landlord and Tenant (Rent Control) Act, 1949;

(a) 12, 13 & 14 Geo. 6. c. 40.