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.

" application " means an application to the Tribunal under section 1 of the Act; and

" Tribunal " means the Tribunal having jurisdiction by virtue of section 6, as read along with section 17, of the Act in the area in which any dwelling-house to which an application relates is situated.

(3) The Interpretation Act, 1889(a), 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 Tribunal under section 5, as read along with section 17, 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 Tribunal in respect of which a determination has been made under section 1 of the Act.

PROCEEDINGS BEFORE TRIBUNALS

3. An application, which shall be in writing, shall be lodged with or sent to the Clerk to the Tribunal and shall specify—

(*a*) the address of the dwelling-house to which the application relates;

(*b*) the name of the tenant;

(*c*) the name and address of the landlord or of his factor or agent; and

(*d*) the rent payable by the tenant.

4.—(1) 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 to which the application relates informing him that he may, within such time as the Tribunal may allow (being not less than seven days from the date of the notice),—

(*a*) inform the Clerk to the Tribunal that he desires to be heard by them, or

(*b*) send to the Clerk to the Tribunal representations in writing for their consideration.

(2) If either party to the tenancy informs the Clerk to the Tribunal that he desires to be heard by them, the Tribunal shall give to each party not less than four clear days' notice in writing of the time and place at which the parties will be heard.

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

(2) Before issuing such a certificate the Tribunal shall take such steps as may be reasonably possible to ensure that the person to whom it appears that the premium was paid or, if he is dead, his legal personal representative is furnished with a copy of such requirement.

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

(a) 52 & 53 Vict. c. 63.

6.—(1) 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.

(2) Subject to the provisions of these regulations the procedure at a hearing before a Tribunal shall be as directed by the Tribunal who may postpone or adjourn the hearing from time to time as they think fit.

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

Given under the Seal of the Secretary of State this first day of July, nineteen hundred and forty-nine.

(L.S.) *G. H. Henderson,*
Secretary.

Department of Health for Scotland,
St. Andrew's House,
Edinburgh, 1.

SCHEDULE

Reg. 2

Particulars to be included by virtue of Regulation 2 of the foregoing regulations in the register kept by a Tribunal:—

(1) Names and addresses of tenant and landlord.

(2) Period for which payments of rent are made.

(3) Whether landlord or tenant is liable for rates, internal repairs and decoration, external repairs and painting.

(4) Any conditions as to assignation of the tenancy, sub-letting or taking in of lodgers.

(5) Specification of any accommodation shared by the tenant with other persons and the terms and conditions of the sharing.

(6) Services provided by the landlord.

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 dwellinghouse in respect of which a determination has been made under section 1 of the Act to be included in a register kept by a Tribunal under section 5, as read along with section 17, of the Act, in addition to the other matters which are required to be contained in the register under section 5.

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