STATUTORY INSTRUMENTS

1972 No. 1377 (S.107)

HOUSING, SCOTLAND

Rent Allowance Scheme (Duty of Landlords) (Scotland) Regulations 1972

Made - - -	*5th September* 1972
Laid before Parliament	*18th September* 1972
Coming into Operation	*10th October* 1972

In exercise of the powers conferred on me by section 20(2) of the Housing (Financial Provisions) (Scotland) Act 1972(**a**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Rent Allowance Scheme (Duty of Landlords) (Scotland) Regulations 1972 and shall come into operation on 10th October 1972.

2.—(1) In these regulations—

"the Act" means the Housing (Financial Provisions) (Scotland) Act 1972;

"clerk of the local authority" means, as the case may be, the town or the county clerk;

"rent allowance scheme" has the same meaning which is assigned to "allowance scheme" by section 16 of the Act, and

any expression used in these regulations which is also used in Part II of the Act shall have the same meaning as in that Part.

(2) The Interpretation Act 1889(**b**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. The duty imposed upon a landlord of a house let to a private tenant by section 20(1) of the Act shall be performed from time to time as occasion requires:—

(*a*) by applying, either orally or in writing, to the clerk of the local authority, in whose district the house is situated, for information about the rent allowance scheme made by them, not later than—

(i) 1st February 1973, in the case of a tenancy existing on 1st January 1973;

(ii) in the case of a tenancy granted after 1st January 1973 to someone who was not the tenant of the house immediately before the grant of that tenancy, one month after the date of commencement of the tenancy; and

(**a**) 1972 c. 46. (**b**) 1889 c. 63.

(iii) in the case where the tenancy has, after 1st January 1973, been transmitted or assigned, one month after the date of that transmission or assignation; and

(*b*) by furnishing, not later than one month after the date upon which such information is received by the landlord from the local authority, that information to the tenant.

4. In performing the duty imposed upon him by section 20(1) of the Act, a landlord shall take all reasonable steps to ensure that the information furnished by him to his tenant is received by that tenant and it shall be sufficient compliance with this requirement if—

(*a*) the information is handed to the tenant in person and a written receipt therefor obtained from him or

(*b*) the information is sent to the tenant at his home address in a prepaid letter by the recorded delivery service and the letter is not returned by the Post Office.

Gordon Campbell,

One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.

5th September 1972.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations prescribe the manner in which the duty imposed by section 20(1) of the Housing (Financial Provisions) (Scotland) Act 1972 (duty of landlord to inform tenant of particulars of allowance scheme) is to be performed.

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