STATUTORY INSTRUMENTS

1967 No. 1648

LANDLORD AND TENANT

The Rent Regulation (Forms etc.) (England and Wales) (Amendment) Regulations 1967

Made - - - -	*8th November* 1967
Laid before Parliament	*15th November* 1967
Coming into Operation	*28th November* 1967

The Minister of Housing and Local Government, in exercise of his powers under section 46 of the Rent Act 1965(a) and of all other powers enabling him in that behalf, hereby makes the following regulations 1, 2 and 4 and, except in relation to Wales and Monmouthshire, the following regulations 3 and 5 and the Secretary of State, in exercise of his powers under sections 46 and 48 of the said Act and of all other powers enabling him in that behalf, hereby makes, in relation to Wales and Monmouthshire, the following regulations 1, 2, 3 and 5:—

1. These regulations may be cited as the Rent Regulation (Forms etc.) (England and Wales) (Amendment) Regulations 1967 and shall come into operation on 28th November 1967.

2.—(1) In these regulations " the Act " means the Rent Act 1965 and " the principal regulations " means the Rent Regulation (Forms etc.) (England and Wales) Regulations 1965(b).

(2) The Interpretation Act 1889(c) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. Schedule 1 to the principal regulations (which prescribes forms of notice of increase of rent) shall be amended in the manner provided in Part I of the Schedule to these regulations.

4. Schedule 2 to the principal regulations (which prescribes particulars with regard to a regulated tenancy to be entered in the register of rents kept by the Rent Officer) shall be amended in the manner provided in Part II of the Schedule to these regulations.

5. Schedule 3 to the principal regulations (which prescribes forms to be used for the purposes of Schedules 3 and 4 of the Act relating to the registration of rents) shall be amended in the manner provided in Part III of the Schedule to these regulations.

(a) 1965 c. 75. (b) S.I. 1965/1976 (1965 III, p. 5841).
(c) 52 & 53 Vict. c. 63.

SCHEDULE

PART I

AMENDMENT OF FORMS OF NOTICE OF INCREASE OF RENT

1. For note 1(*b*) to Form No. 1 there shall be substituted—

"(*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 5) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; and ".

2. In note 2 to Form No. 1 for the first sentence there shall be substituted—

" If this is the first Notice of Increase of rent on account of rates which has been served during the statutory tenancy, then except in the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954, the amount of increase which can be charged is the amount by which the rates for each rental period to which this Notice applies are more than the rates for the rental period when the contractual tenancy came to an end and the tenant held over on a statutory tenancy. In the case of a first Notice of Increase of rent on account of rates which has been served during a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954 and where the rent is one arrived at by agreement, the amount of increase which can be charged is the amount by which the rates for each rental period to which the Notice applies are more than the rates for the first rental period of such statutory tenancy.".

3. For note 1(*b*) to Form No. 2 there shall be substituted—

" (*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 7) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; and ".

4. For note 1(*b*) to Form No. 3 there shall be substituted—

" (*b*) which either has become a statutory tenancy or will become one under section 9(3) of the Act (see Note 6) or is a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954; and ".

5. For the first sentence of note 4 of Form No. 3 there shall be substituted—

" This date must not be a date earlier than the date of registration of the rent nor earlier than 4 weeks before the service of this Notice, except in the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954 and where the application for the registration of a fair rent was made before the commencement of such tenancy. In such a case, if the Notice of Increase is given within 4 weeks after the date on which the rent was registered, the date must not be earlier than the commencement of such tenancy nor earlier than the date from which the registration takes effect.".

PART II

AMENDMENTS TO PARTICULARS WITH REGARD TO REGULATED TENANCY TO BE ENTERED IN REGISTER OF RENTS BY RENT OFFICER

To the particulars set out in Schedule 2 there shall be added—

" 8. In the case of a statutory tenancy which has arisen by virtue of Part I of the Landlord and Tenant Act 1954, particulars of the initial repairs

(if any) which were taken into consideration in determining a fair rent but which had not been completed at the date of such determination.".

PART III

AMENDMENT OF SCHEDULE 3 TO THE PRINCIPAL REGULATIONS AS RESPECTS FORMS TO BE USED FOR APPLICATIONS FOR REGISTRATION OF FAIR RENTS

1. To the heading of Form No. 4 there shall be added after the words " Application for Registration of Fair Rent " the words " except in the case of a Statutory Tenancy which will arise or has arisen by virtue of Part I of the Landlord and Tenant Act 1954 ".

2. After Form No. 4 there shall be inserted the following form—

" FORM NO. 4A

RENT ACT 1965

Schedule 3, paragraph 2.

APPLICATION FOR REGISTRATION OF FAIR RENT IN THE CASE OF A STATUTORY TENANCY WHICH WILL ARISE OR HAS ARISEN UNDER PART I OF THE LANDLORD AND TENANT ACT 1954

To the Rent Officer

[I] [We jointly] hereby apply for registration of a fair rent for the premises named in paragraph 1 below, and submit particulars of the premises and the tenancy accordingly, together with the [document(s)] [copies of the document(s)] referred to in paragraph 8(*b*) below.

Strike out words in square brackets which do not apply.

Signed .....
[landlord] [landlord's agent]

.....
[tenant] [tenant's agent]

Date .....

The Particulars

1. Address of premises:

2. Rateable value of premises on 23rd March 1965 (or on date such a value was first shown in the Valuation List if this date is after 23rd March 1965):

3. Current gross value for rating purposes of premises:

4. Name of tenant:

5. Name and address of landlord:

[6. Name and address of landlord's agent:]

7. Description of premises, including the number of rooms, and a note of any accommodation shared by the tenant(s) with the landlord or with anyone else:

8. (*a*) The date on which the statutory tenancy will commence or has commenced:

(*b*) Were the terms of the tenancy agreed between the landlord and the tenant without reference to the court, or were any of the terms determined by the court? (Any agreement and any order of the court, or copies thereof, must accompany the application):

(*c*) Particulars of any initial repairs which have not been completed at the date of the application:

9. Rent proposed to be registered:

[10. Any change in the state of the premises which it is claimed by the applicant(s) has occurred during the statutory tenancy by reason of—

(*a*) failure by the statutory tenant (including a former statutory tenant) to comply with the terms of the statutory tenancy:

(*b*) improvements carried out by the statutory tenant (including a former statutory tenant) other than under the terms of the statutory tenancy:]

[11. Date of last registration or confirmation of fair rent:]

[12. Grounds of application if made by landlord or tenant acting alone within 3 years of previous registration or confirmation:]".

Given under the official seal of the Minister of Housing and Local Government on 8th November 1967.

(L.S.)

Anthony Greenwood,
Minister of Housing and Local Government.

Cledwyn Hughes,
One of Her Majesty's Principal Secretaries of State.

Welsh Office.
8th November 1967.

EXPLANATORY NOTE

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

The Rent Regulation (Forms etc.) (England and Wales) Regulations 1965, which apply throughout England and Wales, prescribe forms to be used for the purposes of the Rent Act 1965 and deal also with certain other matters which that Act requires to be prescribed.

These regulations modify the forms of notice of increase of rent prescribed by the 1965 regulations so as to deal with statutory tenancies arising under Part I of the Landlord and Tenant Act 1954 (c. 56) which by virtue of the Leasehold Reform Act 1967 (c. 88) will be regulated tenancies under the Rent Act 1965.

These regulations also prescribe certain additional particulars to be entered in the register of rents kept by the Rent Officer with regard to statutory tenancies arising under Part I of the Act of 1954 which by virtue of the Act of 1967 will be or are regulated tenancies under the Act of 1965.

These regulations further prescribe a new form of application for registration of a fair rent in respect of statutory tenancies arising under Part I of the Act of 1954 which by virtue of the Act of 1967 will be or are regulated tenancies under the Act of 1965.