

*Changes to legislation: There are currently no known outstanding effects
for the Housing Act 1980, Part I. (See end of Document for details)*

SCHEDULES

SCHEDULE 8

CROWN ESTATE AND DUCHIES—CONSEQUENTIAL PROVISIONS

PART I

Rent Act 1977

- 1 Where a tenancy granted before the commencement of section 73 of this Act becomes, or would but for its low rent become, a protected tenancy by virtue of that section, section 5 of the 1977 Act applies as if in relation to the dwelling-house the appropriate day were the commencement of that section.
- 2 In Part I of Schedule 15 to the 1977 Act the following is inserted after paragraph (b) of Case 6 :
- “(bb) the commencement of section 73 of the Housing Act 1980, in the case of a tenancy which became a regulated tenancy by virtue of that section.”

Modifications etc. (not altering text)

- C1** The text of Schs. 6 and 7, Sch. 8 para. 2, Sch. 10 paras. 1(1)(2)(4)(5), 3–5, Sch. 21, Sch. 22 Pt. II, Sch. 25 Pt. I (paras. 1–6, 32, 33, 35, 37–60) and Sch. 26 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

- 3 In Part II of Schedule 15 to the 1977 Act any reference to the relevant date shall (notwithstanding paragraph 2 of Part III of that Schedule) be construed, in the case of a tenancy which becomes a regulated tenancy by virtue of section 73 of this Act as meaning the date falling six months after the passing of this Act.
- 4 (1) Part II of Schedule 18 to the 1977 Act applies to a tenancy which becomes a regulated tenancy by virtue of section 73 of this Act (unless it is a tenancy falling within sub-paragraph (2) below).
- (2) Nothing in Part IX of the 1977 Act applies to the assignment, before the end of the year 1990, of a tenancy which falls within this sub-paragraph; and a tenancy falls within this sub-paragraph if it was granted for a term certain and its terms do not inhibit both the assignment and the underletting of the whole of the premises comprised in the tenancy, and either—
- (a) it was granted before the commencement of section 73 of this Act and became a regulated tenancy by virtue of that section; or
- (b) it is a regulated tenancy by virtue of that section and was granted to a person who, at the time of the grant, was the tenant of the premises comprised in it under a regulated tenancy which also fell within this sub-paragraph.

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- (3) For the purposes of sub-paragraph (2) above the terms of a tenancy inhibit an assignment or underletting if they—
- (a) preclude it; or
 - (b) permit it subject to a consent but exclude section 144 of the ^{M1}Law of Property Act 1925 (no payment in nature of fine); or
 - (c) permit it subject to a consent but require in connection with a request for consent the making of an offer to surrender the tenancy.

Marginal Citations

M1 1925 c. 20(98:1).

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