

## SCHEDULES

### SCHEDULE 25

#### MINOR AND CONSEQUENTIAL AMENDMENTS, TRANSITIONAL PROVISIONS AND SAVINGS

#### PART II

##### TRANSITIONAL PROVISIONS AND SAVINGS

- 62 For the purposes of section. 33 of this Act a notice served at any time after regulations are first made for the purposes of subsection (2) of that section, but before the commencement of that section shall be treated as duly served under that section if it would have been so treated had Chapter II of Part I of this Act then been in force.
- 63 Where, immediately before the commencement of section 60 of this Act, an increase in rent was subject to the provisions as to phasing of rent increases in Schedule 6 to the Rent (Agriculture) Act 1976. or in Schedule 8 or 9 to the 1977 Act that increase shall continue to be subject to those provisions as if this Act had not been passed.
- 64 Where the recoverable rent for any statutory period has been increased by a notice under section 48 of the 1977 Act, nothing in section 63 of this Act affects that increase or the operation of subsections (4) and (5) of section 48 in relation to the notice.
- 65 In a case where, by virtue of subsection (4) of section 52 of the 1977. Act, that section would not have applied to an agreement with a tenant having security of tenure had it not been replaced by the section substituted by section 68(2) of this Act, the substituted section 52 shall also not apply in relation to that agreement.
- 66 The repeal by this Act of subsections (4) and (5) of section 54 of the 1977 Act does not affect the operation of those subsections in relation to defaults occurring before the commencement of section 68 of this Act.
- 67 Where, immediately before the commencement of section 69(4) of this Act, a tenancy was, by virtue of section 12(2)(b) of the 1977 Act, a protected tenancy and not a restricted contract, the 1977 Act shall continue to apply in relation to that tenancy as if section 69(4) had not been enacted.
- 68 The repeals made by section 74 of this Act in section 15 of the 1977 Act shall not affect any tenancy which was, immediately before the commencement of section 74(1), a protected, or statutory tenancy but which would, were it not for this paragraph, have ceased to be such a tenancy by virtue of the repeal of section 15(4) (f).
- 69 (1) Any condition which, immediately before the commencement of section 91 of this Act, was a local land charge by virtue of section 104(5) of the 1957 Act shall continue to be a local land charge notwithstanding the provisions of section 91.

- (2) Section 104(3) of the 1957 Act shall have effect, in the period between the commencement of section 91 and the commencement of Chapter II of Part I of this Act as if Chapter II were in force.
- 70 Any directions given by the Secretary of State under section 24(5) of the Housing Subsidies Act 1967 shall, if in force at the commencement of section 114 of this Act, continue in force as if given under subsection (1)(a) of section 114 until revoked or varied.
- 71 Subsection (3A) of section 2 of the 1974 Act (inserted by section 123(4) of this Act) shall have effect, in the period between the commencement of section 123(4) and the commencement of Chapter II of Part I of this Act as if Chapter II were in force.
- 72 (1) This paragraph applies in relation to the exceptions in paragraphs 6 and 11 of Schedule 3 to this Act.
- (2) Notice given to a tenant at any time after 31st March 1980 but before the commencement of Schedule 3 shall be treated—
- (a) as duly given in accordance with paragraph 6(b)(ii) if it would have been so treated had paragraph 6 then been in force ; or
  - (b) as duly given in accordance with paragraph 11(b) if it would have been so treated had paragraph 11, and the regulations first made under that paragraph designating courses, then been in force.
- 73 In relation to a tenancy (or licence) granted before 8th May 1980 Schedule 3 to this Act has effect as if the following paragraph were added at the end of it:
- “**14** A tenancy is not a secure tenancy if—
- (a) the landlord is a charity within the meaning of the Charities Act 1960 ; and
  - (b) before the tenancy was granted the tenant was informed in writing that the landlord intended to carry out works on the building or part of the building comprising the dwelling-house and could not reasonably do so without obtaining possession of the dwelling-house.”
- 74 Any approval given for the purposes of paragraph 9 of Schedule 1 to the 1975 Act shall have effect as an approval given for the purposes of Schedule 20 to this Act.
- 75 Section 5 of the 1977 Act (tenancies at low rents) shall continue not to apply to any tenancy which, immediately before the repeal by this Act of section 17 of the 1977 Act (categories of controlled tenancies) was a controlled tenancy by virtue of subsection (2) of section 17.
- 76 The repeals made by this Act in the 1975 Act do not affect the operation of orders made under paragraph 23 of Schedule 1 to that Act (power to apply subsidy provisions to housing associations).
- 77 Section 90 of the 1977 Act continues to have effect, notwithstanding its repeal by this Act, in relation to any direction given by the Secretary of State under that section.
- 78 Paragraphs 3 and 4 of Schedule 17 to the 1977 Act continue to have effect, notwithstanding paragraph 59 of this Schedule, in relation to a notice of increase served under paragraph 4 before the commencement of paragraph 59.