



Rentcharges Act 1977

1977 CHAPTER 30

APPORTIONMENT

7 Effect of apportionment order.

- (1) An apportionment order shall, subject to subsection (2) below, have effect—
 - (a) on the expiry of the period of 28 days beginning with the day on which it is made, or
 - (b) where an appeal against the order has been duly made under section 6 above, on such day as the [^{F1}Upper Tribunal] shall specify.
- (2) If—
 - (a) in the case of an application made under section 4(1) above, the part of the rentcharge apportioned to the applicant's land, or
 - (b) in the case of an application under section 4(2) above, any apportioned part of the rentcharge,does not exceed the annual sum of £5, then, subject to subsection (3) below, it shall, where an application has been duly made under section 5(3)(b) above, be made a condition of the apportionment order that it shall have effect only for the purpose of the redemption of that part of the rentcharge in accordance with the following provisions of this Act.
- (3) The Secretary of State shall not impose a condition under subsection (2) above in any case where he considers that, having regard to all the circumstances, to do so would cause the applicant to suffer financial hardship.
- (4) In the case of an application under section 4(1) above, the effect of an apportionment order shall (subject to subsection (2) above) be to release the applicant's land from any part of the rentcharge not apportioned to it and to release the remaining land affected by the rentcharge from such part (if any) of the rentcharge as is apportioned to the applicant's land.
- (5) In the case of an application under section 4(2) above, the effect of an apportionment order shall (subject to subsection (2) above) be to release each part of the applicant's land from any part of the rentcharge not apportioned to it.

Changes to legislation: Rentcharges Act 1977, Section 7 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (6) The Secretary of State may by regulations specify, in substitution for the sum mentioned in subsection (2) above, such other annual sum as he considers appropriate.

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Textual Amendments

- F1** Words in s. 7(1)(b) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 124** (with Sch. 5)

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7A inserted by [2016 c. 22 s. 138\(2\)](#)
- s. 8(1A) inserted by [2016 c. 22 s. 138\(3\)\(b\)](#)
- s. 12(1A)(1B) inserted by [2016 c. 22 s. 138\(4\)\(b\)](#)