

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.”
- 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.
 - (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 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.