

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

## [<sup>F1</sup>SCHEDULE

S. 30A

### RIGHTS OF TENANTS WITH RESPECT TO INSURANCE

#### Textual Amendments

**F1** Sch. added by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 43(2)

#### Modifications etc. (not altering text)

**C1** Sch. modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), Sch. 7 para. 5; S.I. 2003/1986, art. 2(a); S.I. 2004/669, art. 2(a)  
Sch. extended to Crown Land (E.) (30.9.2003) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, art. 2(c)(ii)(iii) (subject to savings in Sch. 2); S.I. 2004/669, art. 2(c)(ii)(iii) (subject to savings in Sch. 2)

#### Construction

1 In this Schedule—

“landlord”, in relation to a tenant by whom a service charge is payable which includes an amount payable directly or indirectly for insurance, includes any person who has a right to enforce payment of that service charge;

“relevant policy”, in relation to a dwelling, means any policy of insurance under which the dwelling is insured (being, in the case of a flat, a policy covering the building containing it); and

“tenant” includes a statutory tenant.

#### <sup>F2</sup> . . . Summary of insurance cover

#### Textual Amendments

**F2** Words in heading before Sch. para. 2 repealed (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 180, 181(1), Sch. 14; S.I. 2003/1986, arts. 1(2), 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2)

- 2 (1) Where a service charge is payable by the tenant of a dwelling which consists of or includes an amount payable directly or indirectly for insurance, the tenant may [<sup>F3</sup>by notice in writing require the landlord] to supply him with a written summary of the insurance for the time being effected in relation to the dwelling.
- (2) If the tenant is represented by a recognised tenants’ association and he consents, the [<sup>F4</sup>notice may be served] by the secretary of the association instead of by the tenant and may then be for the supply of the summary to the secretary.
- (3) A [<sup>F5</sup>notice under this paragraph is duly] served on the landlord if it is served on—
- an agent of the landlord named as such in the rent book or similar document, or
  - the person who receives the rent on behalf of the landlord;
- and a person on [<sup>F6</sup>whom such a notice] is so served shall forward it as soon as may be to the landlord.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

- (4) The landlord shall, within [<sup>F7</sup>the period of twenty-one days beginning with the day on which he receives the notice,] comply with it by supplying to the tenant or the secretary of the recognised tenants' association (as the case may require) such a summary as is mentioned in sub-paragraph (1), which shall include—
- (a) the insured amount or amounts under any relevant policy, and
  - (b) the name of the insurer under any such policy, and
  - (c) the risks in respect of which the dwelling or (as the case may be) the building containing it is insured under any such policy.
- (5) In sub-paragraph (4)(a) “the insured amount or amounts”, in relation to a relevant policy, means—
- (a) in the case of a dwelling other than a flat, the amount for which the dwelling is insured under the policy; and
  - (b) in the case of a flat, the amount for which the building containing it is insured under the policy and, if specified in the policy, the amount for which the flat is insured under it.
- (6) The landlord shall be taken to have complied with the [<sup>F8</sup>notice] if, within the period mentioned in sub-paragraph (4), he instead supplies to the tenant or the secretary (as the case may require) a copy of every relevant policy.
- (7) In a case where two or more buildings are insured under any relevant policy, the summary or copy supplied under sub-paragraph (4) or (6) so far as relating to that policy need only be of such parts of the policy as relate—
- (a) to the dwelling, and
  - (b) if the dwelling is a flat, to the building containing it.

#### Textual Amendments

- F3** Words in Sch. para. 2(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(2); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)
- F4** Words in Sch. para. 2(2) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(3); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)
- F5** Words in Sch. para. 2(3)(a) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(4)(a); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)
- F6** Words in Sch. para. 2(3)(b) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(4)(b); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)
- F7** Words in Sch. para. 2(4) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(5); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)
- F8** Word in Sch. para. 2(6) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 8(1)(6); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

*Request to inspect insurance policy etc.*

*Inspection of insurance policy etc.*

- [<sup>F9</sup>3
- (1) Where a service charge is payable by the tenant of a dwelling which consists of or includes an amount payable directly or indirectly for insurance, the tenant may by notice in writing require the landlord—
    - (a) to afford him reasonable facilities for inspecting any relevant policy or associated documents and for taking copies of or extracts from them, or
    - (b) to take copies of or extracts from any such policy or documents and either send them to him or afford him reasonable facilities for collecting them (as he specifies).
  - (2) If the tenant is represented by a recognised tenants' association and he consents, the notice may be served by the secretary of the association instead of by the tenant (and in that case any requirement imposed by it is to afford reasonable facilities, or to send copies or extracts, to the secretary).
  - (3) A notice under this paragraph is duly served on the landlord if it is served on—
    - (a) an agent of the landlord named as such in the rent book or similar document, or
    - (b) the person who receives the rent on behalf of the landlord;and a person on whom such a notice is so served shall forward it as soon as may be to the landlord.
  - (4) The landlord shall comply with a requirement imposed by a notice under this paragraph within the period of twenty-one days beginning with the day on which he receives the notice.
  - (5) To the extent that a notice under this paragraph requires the landlord to afford facilities for inspecting documents—
    - (a) he shall do so free of charge, but
    - (b) he may treat as part of his costs of management any costs incurred by him in doing so.
  - (6) The landlord may make a reasonable charge for doing anything else in compliance with a requirement imposed by a notice under this paragraph.
  - (7) In this paragraph—

“relevant policy” includes a policy of insurance under which the dwelling was insured for the period of insurance immediately preceding that current when the notice is served (being, in the case of a flat, a policy covering the building containing it), and

“associated documents” means accounts, receipts or other documents which provide evidence of payment of any premiums due under a relevant policy in respect of the period of insurance which is current when the notice is served or the period of insurance immediately preceding that period.]

**Textual Amendments**

- F9** Sch. para. 3 substituted (30.9.2003 for E. and 30.4.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 9; S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

*F10 . . . Insurance effected by superior landlord*

**Textual Amendments**

**F10** Words in heading before Sch. para. 4 repealed (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 180, 181(1), Sch. 14; S.I. 2003/1986, arts. 1(2), 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2)

- 4 (1) If [F11 a notice is served] under paragraph 2 in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question and the landlord [F12 on whom the notice is served] is not in possession of the relevant information—
- (a) he shall in turn [F13 by notice in writing require the person who is his landlord to give him the relevant information] (and so on, if that person is not himself the superior landlord),
  - (b) the superior landlord shall comply with [F14 the notice] within a reasonable time, and
  - (c) the immediate landlord shall then comply with the tenant's or [F15 secretary's notice] in the manner provided by sub-paragraphs (4) to (7) of paragraph 2 within the time allowed by that paragraph or such further time, if any, as is reasonable in the circumstances.
- (2) If, in a case where a superior landlord has effected, in whole or in part, the insurance of the dwelling in question, a [F16 notice under paragraph 3 imposes a requirement relating] to any policy of insurance effected by the superior landlord—
- (a) the landlord [F17 on whom the notice is served] shall forthwith inform the tenant or secretary of that fact and of the name and address of the superior landlord, and
  - (b) that paragraph shall then apply to the superior landlord in relation to that policy as it applies to the immediate landlord.

**Textual Amendments**

**F11** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(a); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

**F12** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(b); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

**F13** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(c); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

**F14** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(d); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

**F15** Words in Sch. para. 4(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(2)(e); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

**F16** Words in Sch. para. 4(2) substituted (30.9.2003 for W. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(3)(a); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

**F17** Words in Sch. para. 4(2) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 10(1)(3)(b); S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

### *Effect of change of landlord*

- [<sup>F18</sup>4A (1) This paragraph applies where, at a time when a duty imposed on the landlord or a superior landlord by virtue of any of paragraphs 2 to 4 remains to be discharged by him, he disposes of the whole or part of his interest as landlord or superior landlord).
- (2) If the landlord or superior landlord is, despite the disposal, still in a position to discharge the duty to any extent, he remains responsible for discharging it to that extent.
- (3) If the other person is in a position to discharge the duty to any extent, he is responsible for discharging it to that extent.
- (4) Where the other person is responsible for discharging the duty to any extent (whether or not the landlord or superior landlord is also responsible for discharging it to that or any other extent)—
- (a) references to the landlord or superior landlord in paragraphs 2 to 4 are to, or include, the other person so far as is appropriate to reflect his responsibility for discharging the duty to that extent, but
  - (b) in connection with its discharge by that person, paragraphs 2(4) and 3(4) apply as if the reference to the day on which the landlord receives the notice were to the date of the disposal referred to in sub-paragraph (1).]

#### **Textual Amendments**

**F18** Sch. para. 4A and preceding sidenote inserted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 11; S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

### *Effect of assignment*<sup>F19</sup> . . .

#### **Textual Amendments**

**F19** Words in heading before Sch. para. 5 repealed (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 180, 181(1), Sch. 14; S.I. 2003/1986, arts. 1(2), 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 2 (subject to Sch. 2)

- 5 The assignment of a tenancy does not affect [<sup>F20</sup>any duty imposed by virtue of any of paragraphs 2 to 4A; but a person is not required to comply with more than a reasonable number of requirements imposed by any one person.]

#### **Textual Amendments**

**F20** Words in Sch. para. 5 substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 12; S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

*[<sup>F21</sup>Offence of failure to comply]*

**Textual Amendments**

**F21** Words in heading before Sch. para. 6 substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 13; S.I. 2003/1986, arts. 1(2), 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

- 6 (1) It is a summary offence for a person to fail, without reasonable excuse, to perform a duty imposed on him by or by virtue of [<sup>F22</sup>any of paragraphs 2 to 4A].
- (2) A person committing such an offence is liable on conviction to a fine not exceeding level 4 on the standard scale.

**Textual Amendments**

**F22** Words in Sch. para. 6(1) substituted (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 157, 181(1), Sch. 10 para. 13; S.I. 2003/1986, art. 2(c)(i) (subject to Sch. 2); S.I. 2004/669, art. 2(c)(i) (subject to Sch. 2)

*Tenant's right to notify insurers of possible claim*

- 7 (1) This paragraph applies to any dwelling in respect of which the tenant pays to the landlord a service charge consisting of or including an amount payable directly or indirectly for insurance.
- (2) Where—
- (a) it appears to the tenant of any such dwelling that damage has been caused—
- (i) to the dwelling, or
- (ii) if the dwelling is a flat, to the dwelling or to any other part of the building containing it,
- in respect of which a claim could be made under the terms of a policy of insurance, and
- (b) it is a term of that policy that the person insured under the policy should give notice of any claim under it to the insurer within a specified period,
- the tenant may, within that specified period, serve on the insurer a notice in writing stating that it appears to him that damage has been caused as mentioned in paragraph (a) and describing briefly the nature of the damage.
- (3) Where—
- (a) any such notice is served on an insurer by a tenant in relation to any such damage, and
- (b) the specified period referred to in sub-paragraph (2)(b) would expire earlier than the period of six months beginning with the date on which the notice is served,
- the policy in question shall have effect as regards any claim subsequently made in respect of that damage by the person insured under the policy as if for the specified period there were substituted that period of six months.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

- (4) Where the tenancy of a dwelling to which this paragraph applies is held by joint tenants, a single notice under this paragraph may be given by any one or more of those tenants.
- (5) The Secretary of State may by regulations prescribe the form of notices under this paragraph and the particulars which such notices must contain.
- (6) Any such regulations—
  - (a) may make different provision with respect to different cases or descriptions of case, including different provision for different areas, and
  - (b) shall be made by statutory instrument.

*Right to challenge landlord's choice of insurers*

- [<sup>F23</sup>8
- (1) This paragraph applies where a tenancy of a dwelling requires the tenant to insure the dwelling with an insurer nominated [<sup>F24</sup>or approved] by the landlord.
  - (2) The tenant or landlord may apply to a county court or [<sup>F25</sup>the appropriate tribunal] for a determination whether—
    - (a) the insurance which is available from the nominated [<sup>F24</sup>or approved] insurer for insuring the tenant's dwelling is unsatisfactory in any respect, or
    - (b) the premiums payable in respect of any such insurance are excessive.
  - (3) No such application may be made in respect of a matter which—
    - (a) has been agreed or admitted by the tenant,
    - (b) under an arbitration agreement to which the tenant is a party is to be referred to arbitration, or
    - (c) has been the subject of determination by a court or arbitral tribunal.
  - (4) On an application under this paragraph the court or tribunal may make—
    - (a) an order requiring the landlord to nominate [<sup>F26</sup>or approve] such other insurer as is specified in the order, or
    - (b) an order requiring him to nominate [<sup>F26</sup>or approve] another insurer who satisfies such requirements in relation to the insurance of the dwelling as are specified in the order.
  - <sup>F27</sup>(5) .....
  - (6) An agreement by the tenant of a dwelling (other than an arbitration agreement) is void in so far as it purports to provide for a determination in a particular manner, or on particular evidence, of any question which may be the subject of an application under this paragraph.]

**Textual Amendments**

- F23** Sch. para. 8 substituted (1.9.1997 subject to saving in Sch. para. 1 of S.I. 1997/1851 and otherwise 11.8.1998 subject to art. 3 of S.I. 1998/1768) by 1996 c. 52, s. 83(2); S.I. 1997/1851, art. 2; S.I. 1998/1768, art. 2
- F24** Words in Sch. para. 8(1)(2) inserted (28.2.2005 for E. and 31.5.2005 for W.) by 2002 c. 15, ss. 165(2), 181(1); S.I. 2004/3056, art. 3(d) (subject to art. 4 (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, art. 2(d) (subject to art. 3)

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

- F25** Words in Sch. para. 8(2) substituted (1.7.2013) by [The Transfer of Tribunal Functions Order 2013 \(S.I. 2013/1036\)](#), art. 1, **Sch. 1 para. 57** (with Sch. 3)
- F26** Words in Sch. para. 8(4) inserted (28.2.2005 for E. and 31.5.2005 for W.) by [2002 c. 15, ss. 165\(3\), 181\(1\); S.I. 2004/3056, art. 3\(d\)](#) (subject to art. 4 (as amended by [S.I. 2005/193, art. 2](#))); [S.I. 2005/1353, art. 2\(d\)](#) (subject to art. 3)
- F27** Sch. para 8(5) repealed ((30.9.2003 for E. and 30.3.2004 for W.) by [2002 c. 15, ss. 180, 181\(1\), Sch. 14; S.I. 2003/1986, art. 2\(c\)\(iv\), Sch. 1 Pt. 1](#) (subject to [Sch. 2](#)); [S.I. 2004/669, art. 2\(c\)\(iv\), Sch. 1 Pt. 1](#)

*Exception for tenants of certain public authorities*

- 9 (1) Paragraphs 2 to 8 do not apply to a tenant of—  
 a local authority,  
 [<sup>F28</sup>a National Park authority [<sup>F29</sup>, or]]  
 a new town corporation, <sup>F30</sup> . . .  
<sup>F30</sup> . . .

unless the tenancy is a long tenancy, in which case paragraphs 2 to 5 and 7 and 8 apply but paragraph 6 does not.

- (2) Subsections (2) and (3) of section 26 shall apply for the purposes of sub-paragraph (1) as they apply for the purposes of subsection (1) of that section.]

TABLE OF DERIVATIONS

1. The following abbreviations are used in this Table:—	Acts of Parliament
1957	= The Housing Act 1957 (c. 56).
1961	= The Housing Act 1961 (c. 65).
1962	= The Landlord and Tenant Act 1962 (c. 50).
1963 (c. 33)	= The London Government Act 1963.
1968 (c. 23)	= The Rent Act, 1968.
1969	= The Housing Act 1969 (c. 33).
1972 (c. 70)	= The Local Government Act 1972.
1974	= The Housing Act 1974 (c. 44).
1975	= The Housing Rents and Subsidies Act 1975 (c. 6).
1976 (c. 80)	= The Rent (Agriculture) Act 1976.
1977 (c. 42)	= The Rent Act 1977.
1980	= The Housing Act 1980 (c. 51).
1980 (c. 65)	= The Local Government, Planning and Land Act 1980.
1981 (c. 64)	= The New Towns Act 1981.
1982 (c. 48)	= The Criminal Justice Act 1982.



*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

---

1985 (c. 9)	= The Companies Consolidation (Consequential Provisions) Act 1985.
1985(c. 51)	= The Local Government Act 1985.

---

#### Subordinate legislation

S.I. 1975/512 = The Isles of Scilly (Housing) Order 1975.

2. The Table does not show the effect of Transfer of Functions Orders.

3. The letter R followed by a number indicates that the provision gives effect to the Recommendation bearing that number in the Law Commissions' Report of the Consolidation of the Housing Acts (Cmnd. 9515).

4. The entry "drafting" indicates a provision of a mechanical or editorial nature affecting the arrangement of the consolidation; for instance, a provision introducing the provisions which follow or introducing a definition to avoid undue repetition of the defining words.

---

<b>Provision</b>	<b>Derivation</b>
1(1)	1974 s. 121(1).
(2)	1974 s. 121(1); 1980 s. 144; 1982 (c. 48) ss. 37, 46(1).
(3)	1974 s. 121(9).
2(1), (2)	1974 s. 121(2).
(3)	1974 s. 121(4).
(4)	1974 s. 121(5); 1980 s. 144; 1982 (c. 48) ss. 37, 46(1).
3(1)	1974 s. 122(1), (2).
(2)	1974 s. 122(4).
(3)	1974 s. 122(5); 1980 s. 144; 1982 (c. 48) ss. 37, 46(1).
(4)	1974 s. 122(8), (9)(a).
4(1)	1962 s. 1(1).
(2)	1962 s. 1(2).
(3)	1962 ss. 1(1), 6(1)(a).
Provision	Derivation
5(1)	1962 s. 2(1); 1976 (c. 80) Sch. 8 para. 9; 1977 (c. 42) Sch. 23 para. 31(a), (b).
(2)	1962 s. 2(1); 1968 (c. 23) Sch. 15.
(3)	1962 s. 6(1)(b).
6(1)	1962 s. 3(1).
(2)	1962 s. 3(2).

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

7(1), (2)	1962 s. 4(1), (3); 1982 (c. 48) ss. 37, 46(1), Sch. 3.
(3)	1962 s. 4(2), (3); 1982 (c. 48) ss. 37, 46(1), Sch. 3.
(4)	1962 s. 4(4).
8(1), (2)	1957 s. 6(2), (3).
(3)	1957 s. 6(1), (2).
(4)	1957 s. 6(1); 1963 (c. 33) Sch. 8 para. 2.
(5)	1957 s. 6(2) proviso.
(6)	1957 s. 189(1) “house” (a).
9(1), (2)	1957 s. 7.
(3)	1957 ss. 7, 189(1) “house” (a).
10	1957 s. 4(1); 1969 s. 71.
11(1)	1961 s. 32(1).
(2)	1961 s. 32(2).
(3)	1961 s. 32(3).
(4)	1961 s. 32(1), (2).
(5)	1961 s. 32(1).
(6)	1961 s. 32(4).
12(1)	1961 s. 33(7).
(2)	1961 s. 33(6).
13(1)	1961 s. 33(1).
(2)	1961 s. 33(2), (5).
14(1), (2)	1961 s. 33(3).
(3)	1961 s. 33(4).
(4)	1977 (c. 42) ss. 14, 15(3); 1980 s. 80(1) (a)-(c), (2), (3); 1980 (c. 65) s. 155(1); 1981 (c. 64) Sch. 12 para. 24.
(5)	1980 s. 80(1)(d), (e).
15	1961 s. 33(8).
16	1961 s. 32(5).
17(1)	1974 s. 125(1).
(2)	1974 s. 125(2); R.14(i).
18(1)(3)	1980 Sch. 19 para. 1(1).
19(1)	1980 Sch. 19 paras. 2, 3.
(2)	1980 Sch. 19 para. 2.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

(3)	180 Sch. 19 para. 11.
(4)	1980 Sch. 19 para. 12.
20(1)	1980 Sch. 19 paras. 2, 4(1).
(2)	1980 Sch. 19 para. 4(2).
(3)	1980 Sch. 19 para. 5(1)(6).
(4)	1980 Sch. 19 para. 5(7).
(5)	1980 Sch. 19 para. 6.
(6)	1980 s. 151(1), (3).
21(1)	1980 Sch. 19 para. 7(1), (5).
(2)	1980 Sch. 19 para. 7(2).
(3)	1980 Sch. 19 para. 9.
(4)	1980 Sch. 19 para. 7(1).
(5), (6)	1980 Sch. 19 para. 7(3)
22(1), (2)	1980 Sch. 19 para. 7(4).
(3)	1980 Sch. 19 para. 9.
(4)	1980 Sch. 19 para. 7(4).
23(1), (2)	1980 Sch. 19 para. 8(1), (2).
24	1980 Sch. 19 para. 10.
25(1), (2)	1980 Sch. 19 para. 13(1); 1982 (c. 48) ss. 37, 46(1).
26(1)	1980 s. 50(1) “development corporation”, “local authority” <sup>F28</sup> “a National Park authority”], Sch. 19 para. 14(1), (2)(a).
(2), (3)	1980 Sch. 3 para. 1(2), (2A), (3), Sch. 19 para. 14(1); 1984 Sch. 1 para. 12, Sch. 11 para. 33(1).
27	1980 Sch. 19 para. 15.
28(1)	drafting.
(2)	1980 Sch. 16 para. 3(2), Sch. 19 para. 17(1); 1985 (c. 9) Sch. 2.
(3)	1980 Sch. 16 para. 3(4), Sch. 19 para. 17(1).
(4)	1980 Sch. 19 para. 17(2).
(5)	1980 Sch. 19 para. 17(2)(b); 1985 (c. 9) Sch. 2.
(6)	1980 Sch. 19 para. 14(1),(2)(b).
29(1)	1980 Sch. 19 para. 20.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

(2), (3)	1980 Sch. 19 para. 21(1).
(4)	1980 Sch. 19 para. 20(b).
(5)	1980 Sch. 19 para. 21(2).
(6)	1980 s. 151(1), (3).
30	
“flat”	1980 Sch. 19 para. 16.
“landlord”	1980 Sch. 19 para. 18.
“tenant”	1980 Sch. 19 para. 19.
31(1)	1975 ss. 11(1), 15(1), (5).
(2)	1975 ss. 11(2), 15(5).
(3)	1975 s. 11(10), (11).
(4)	1975 ss. 11(3), 15(1).
32(1)	1974 ss. 121(9), 122(8), 125(2).
(2)	1961 s. 33(3).
(3)	1975 s. 11(11) “dwelling”.
33(1)	1962 s. 4(6); 1974 ss. 121(6), 122(6); 1980 Sch. 19 para. 13(2).
(2)	1974 ss. 121(7), 122(7); 1980 Sch. 19 para. 13(3); R.28.
34	1962 s. 5(2); 1968 (c. 23) Sch. 15; 1972 (c. 70) s. 222(1); 1974 s. 121(8); 1977 (c. 42) s. 149(2), Sch. 23 para. 32, Sch. 24 para. 30.
35(1), (2)	1972 s. 103; 1975 s. 17(11), Sch. 5 para. 7(1); S.I. 1972/1204; S.I. 1975/512; R.29.
36	1961 s. 32(5); 1974 ss. 121(9), 125(2); 1975 s. 11(11) “new letting”; drafting.
37	1962 s. 6(1)(a); 1974 ss. 121(9), 122(8), 125(2); 1976 (c. 80) Sch. 8 para. 31; 1977 (c. 42) Sch. 23 para. 66; 1980 Sch. 19 para. 18; R.14(i).
38	
“address”	1962 s. 6(2); 1974 ss. 121(3), 122(3), Sch. 13 para. 9.
“co-operative housing association”	1977 (c. 42) s. 15(3)(d); 1980 s. 80(1) (b); drafting.
“dwelling”	1974 s. 129(1) “dwelling”; 1975 s. 16(1) “dwelling”.

*Status: Point in time view as at 01/07/2013.*

*Changes to legislation: Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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)*

“housing association”	1977 (c. 42) s. 15(3)(a); 1980 s. 80(1)(b).
“local authority” [ <sup>F28</sup> “a National Park authority” ]	1975 ss. 11(11), 16(1) “local authority” [ <sup>F28</sup> “a National Park authority” ]; 1977 (c. 42) s. 14(1)(a)-(c); 1980 s. 80(1)(c); 1985 (c. 51 Sch. 13 para. 21, Sch. 14 paras. 56, 58 (h).
“local housing authority”	1962 s. 5(2); 1968 (c. 23) Sch. 15; 1974 s. 121(8); S.I. 1975/512; 1977 (c. 42) s. 149(2), Sch. 23 para. 32, Sch. 24 para. 30; 1980 s. 50(1) “local authority” [ <sup>F28</sup> “a National Park authority” ], Sch. 19 para. 14(1)(a).
“new town corporation”	1977 (c. 42) s. 14(d), (e); 1980 ss. 50(1) “development corporation”, 80(1)(c), Sch. 19 para. 14(1)(a), (c); 1981 (c. 64); Sch. 12 para. 24; drafting.
“protected tenancy”	1962 s. 2(1); 1968 (c. 23) Sch. 15; 1977 (c. 42) Sch. 23 para. 31(b), Sch. 24 para. 30.
“registered”	1977 (c. 42) s. 15(3)(a); 1980 s. 80(1)(b).
“restricted contract”	1962 s. 2(1); 1977 (c. 42) Sch. 23 para. 31(a).
“urban development corporation”	1977 (c. 42) s. 14(1)(g); 1980 s. 80(1)(c); 1980 (c. 65) s. 155(1).
39	drafting.
40	drafting.

#### Textual Amendments

- F28** Words in Sch. para. 9 inserted (23.11.1995) by 1995 c. 25, s. 78, **Sch. 10 para. 25(1)** (with ss. 7(6), 115, 117, Sch. 8 para. 7); S.I. 1995/2950, **art. 2(1)**
- F29** Words in Sch. para. 9(1) inserted (1.10.1998) by 1998 c. 38, s. 129, **Sch. 15 para. 14** (with ss. 139(2), 143(2)); S.I. 1998/2244, **art. 4**
- F30** Words in Sch. para. 9(1) repealed (1.10.1998) by 1998 c. 38, s. 152, **Sch. 18 Pt. IV** (with ss. 137(1), 139(2), 143(2)); S.I. 1998/2244, **art. 4**

#### Modifications etc. (not altering text)

- C2** Sch. para. 9(1) amended by Local Government Act 1985 (c. 51, SIF 81:1), s. 57(7), **Sch. 13 para. 24** (as substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61), ss. 4, 5, **Sch. 2 para. 61** and as amended by Landlord and Tenant Act 1987 (c. 31, SIF 75:1), s. 61, **Sch. 4 para. 3(a)(ii)**)  
Sch. para. 9(1) extended (5.7.1994) by 1994 c. 19, ss. 39, 66(2)(b), **Sch. 13 para. 23(c)** (with ss. 54(5) (7), 55(5), Sch. 17 paras. 22(1), 23(2))  
Sch. para. 9(1) modified (1.4.1995) by S.I. 1995/401, art. 18, **Sch. para. 10(c)**

**Status:**

Point in time view as at 01/07/2013.

**Changes to legislation:**

Landlord and Tenant Act 1985 is up to date with all changes known to be in force on or before 10 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.