

Status: Point in time view as at 13/03/2014.

Changes to legislation: Housing Act 1988, SCHEDULE 14 is up to date with all changes known to be in force on or before 07 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)

SCHEDULES

SCHEDULE 14

Section 120.

APPOINTMENT ETC. OF RENT OFFICERS

PART I

AMENDMENTS OF SECTION 63 OF ^{M1}RENT ACT 1977

Marginal Citations

M1 1977 c. 42.

- 1 In subsection (1), paragraph (b) and the word “and” immediately preceding it shall be omitted.
- 2 In subsection (2)—
 - (a) in paragraph (a) the words “and deputy rent officers” shall be omitted;
 - (b) in paragraph (b) the words “or deputy rent officer” shall be omitted;
 - (c) in paragraph (d) the words “and deputy rent officers” and the word “and” at the end of the paragraph shall be omitted; and
 - (d) paragraph (e) shall be omitted.
- 3 After subsection (2) there shall be inserted the following subsection—

“(2A) A scheme under this section may make all or any of the following provisions—

 - (a) provision requiring the consent of the Secretary of State to the appointment of rent officers;
 - (b) provision with respect to the appointment of rent officers for fixed periods;
 - (c) provision for the proper officer of the local authority, in such circumstances and subject to such conditions (as to consent or otherwise) as may be specified in the scheme,—
 - (i) to designate a person appointed or to be appointed a rent officer as chief rent officer and to designate one or more such persons as senior rent officers;
 - (ii) to delegate to a person so designated as chief rent officer such functions as may be specified in the scheme; and
 - (iii) to revoke a designation under sub-paragraph (i) above and to revoke or vary a delegation under sub-paragraph (ii) above;
 - (d) provision with respect to the delegation of functions by a chief rent officer to other rent officers (whether designated as senior rent officers or not);

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- (e) provision as to the circumstances in which and the terms on which a rent officer appointed by the scheme may undertake functions outside the area to which the scheme relates in accordance with paragraph (f) below;
- (f) provision under which a rent officer appointed for an area other than that to which the scheme relates may undertake functions in the area to which the scheme relates and for such a rent officer to be treated for such purposes as may be specified in the scheme (which may include the purposes of paragraphs (c) and (d) above and paragraphs (c) and (d) of subsection (2) above) as if he were a rent officer appointed under the scheme; and
- (g) provision conferring functions on the proper officer of a local authority with respect to the matters referred to in paragraphs (d) to (f) above.”

4 In subsection (3) the words “and deputy rent officers” shall be omitted.

5 In subsection (7)—

- (a) in paragraph (b) the words “and deputy rent officers” shall be omitted, after the words “section 7” there shall be inserted “or section 24 ” and for the words following “1972” there shall be substituted “or ”; and
- (b) at the end of paragraph (b) there shall be inserted the following paragraph—
 - “(c) incurred in respect of increases of pensions payable to or in respect of rent officers (so appointed) by virtue of the Pensions (Increase) Act 1971”.

PART II

SECTIONS TO BE INSERTED IN ^{M2}RENT ACT 1977 AFTER SECTION 64

Marginal Citations

M2 1977 c. 42.

“ Amalgamation schemes

64A(1) If the Secretary of State is of the opinion—

- (a) that there is at any time insufficient work in two or more registration areas to justify the existence of a separate service of rent officers for each area, or
- (b) that it would at any time be beneficial for the efficient administration of the service provided by rent officers in two or more registration areas,

he may, after consultation with the local authorities concerned, make a scheme under section 63 above designating as an amalgamated registration area the areas of those authorities and making provision accordingly for that amalgamated area.

(2) Any reference in the following provisions of this Chapter to a registration area includes a reference to an amalgamated registration area and, in relation to such an area, “the constituent authorities” means the local authorities whose areas make up the amalgamated area.

(3) A scheme under section 63 above made for an amalgamated registration area—

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- (a) shall confer on the proper officer of one of the constituent authorities all or any of the functions which, in accordance with section 63 above, fall to be exercisable by the proper officer of the local authority for the registration area;
 - (b) may provide that any rent officer previously appointed for the area of any one of the constituent authorities shall be treated for such purposes as may be specified in the scheme as a rent officer appointed for the amalgamated registration area; and
 - (c) shall make such provision as appears to the Secretary of State to be appropriate for the payment by one or more of the constituent authorities of the remunerations, allowances and other expenditure which under section 63 above is to be paid by the local authority for the area.
- (4) A scheme under section 63 above made for an amalgamated registration area may contain such incidental, transitional and supplementary provisions as appear to the Secretary of State to be necessary or expedient.

New basis for administration of rent officer service

- 64B (1) If, with respect to registration areas generally or any particular registration area or areas, it appears to the Secretary of State that it is no longer appropriate for the appointment, remuneration and administration of rent officers to be a function of local authorities, he may by order—
- (a) provide that no scheme under section 63 above shall be made for the area or areas specified in the order; and
 - (b) make, with respect to the area or areas so specified, such provision as appears to him to be appropriate with respect to the appointment, remuneration and administration of rent officers and the payment of pensions, allowances or gratuities to or in respect of them.
- (2) An order under this section shall make provision for any expenditure attributable to the provisions of the order to be met by the Secretary of State in such manner as may be specified in the order (whether by way of grant, reimbursement or otherwise); and any expenditure incurred by the Secretary of State by virtue of this subsection shall be paid out of money provided by Parliament.
- (3) An order under this section—
- (a) may contain such incidental, transitional and supplementary provisions as appear to the Secretary of State to be appropriate, including provisions amending this Part of this Act; and
 - (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.”

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