



Housing Act 1996

1996 CHAPTER 52

PART V

CONDUCT OF TENANTS

CHAPTER I

INTRODUCTORY TENANCIES

Supplementary

138 Jurisdiction of county court.

- (1) A county court has jurisdiction to determine questions arising under this Chapter and to entertain proceedings brought under this Chapter and claims, for whatever amount, in connection with an introductory tenancy.
- (2) That jurisdiction includes jurisdiction to entertain proceedings as to whether a statement supplied in pursuance of section 136(2)(b) (written statement of certain terms of tenancy) is accurate notwithstanding that no other relief is sought than a declaration.
- (3) If a person takes proceedings in the High Court which, by virtue of this section, he could have taken in the county court, he is not entitled to recover any costs.
- (4) The Lord Chancellor may make such rules and give such directions as he thinks fit for the purpose of giving effect to this section.
- (5) The rules and directions may provide—
 - (a) for the exercise by a district judge of a county court of any jurisdiction exercisable under this section, and
 - (b) for the conduct of proceedings in private.

Status: Point in time view as at 01/09/1997.

Changes to legislation: Housing Act 1996, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 04 August 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)

- (6) The power to make rules is exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Commencement Information

- II** S. 138 wholly in force 4.2.1997; s. 138 not in force at Royal Assent, see s. 232(1)-(3); s. 138(4)-(6) in force at 1.10.1996 by [S.I. 1996/2402](#), [art. 3](#) (with transitional provisions and savings in the [Sch.](#)); s. 138(1)-(3) in force at 4.2.1997 by [S.I. 1997/66](#), [art. 2](#)

139 Meaning of “dwelling-house”.

- (1) For the purposes of this Chapter a dwelling-house may be a house or a part of a house.
- (2) Land let together with a dwelling-house shall be treated for the purposes of this Chapter as part of the dwelling-house unless the land is agricultural land which would not be treated as part of a dwelling-house for the purposes of Part IV of the ^{M1}Housing Act 1985 (see section 112(2) of that Act).

Marginal Citations

- M1** 1985 c. 68.

140 Members of a person’s family: Chapter I.

- (1) A person is a member of another’s family within the meaning of this Chapter if—
- (a) he is the spouse of that person, or he and that person live together as husband and wife, or
 - (b) he is that person’s parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- (2) For the purpose of subsection (1)(b)—
- (a) a relationship by marriage shall be treated as a relationship by blood,
 - (b) a relationship of the half-blood shall be treated as a relationship of the whole blood, and
 - (c) the stepchild of a person shall be treated as his child.

141 Consequential amendments: introductory tenancies.

- (1) The enactments mentioned in Schedule 14 have effect with the amendments specified there which are consequential on the provisions of this Chapter.
- (2) The Secretary of State may by order make such other amendments or repeals of any enactment as appear to him necessary or expedient in consequence of the provisions of this Chapter.
- (3) Without prejudice to the generality of subsection (2), an order under that subsection may make such provision in relation to an enactment as the Secretary of State considers appropriate as regards its application (with or without modifications) or non-application in relation to introductory tenants or introductory tenancies.

Status: Point in time view as at 01/09/1997.

Changes to legislation: Housing Act 1996, Cross Heading: Supplementary is up to date with all changes known to be in force on or before 04 August 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)

Commencement Information

- 12** S. 14 wholly in force 4.2.1997: s. 141 not in force at Royal Assent, see s. 232(1)-(3); s. 141(2)(3) in force at 1.10.1996 by [S.I. 1996/2402](#), [art. 3](#) (with transitional provisions and savings in the [Sch.](#)); s. 141(1) in force at 4.2.1997 by [S.I. 1997/66](#), [art. 2](#)

142 Regulations and orders.

Any regulations or order under this Part—

- (a) may contain such incidental, supplementary or transitional provisions, or savings, as the Secretary of State thinks fit, and
- (b) shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

143 Index of defined expressions: introductory tenancies.

The following Table shows provisions defining or otherwise explaining provisions used in this Chapter (other than provisions defining or explaining an expression in the same section)—

adopt (in relation to periodic tenancy)	section 124(4)
assured tenancy and assured shorthold tenancy	section 230
dwelling-house	section 139
housing action trust	section 230
introductory tenancy and introductory tenant	section 124
local housing authority	section 230
member of family	section 140
registered social landlord	section 2
secure tenancy and secure tenant	section 230

Status:

Point in time view as at 01/09/1997.

Changes to legislation:

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