

SCHEDULES

FIRST SCHEDULE

Sections 14, 22.

MODIFICATIONS OF PROCEDURE FOR OBTAINING CLEARANCE ORDERS AND CERTAIN COMPULSORY PURCHASE ORDERS

- 1 (1) A notice relating to—
 - (a) a compulsory purchase of land in or surrounded by or adjoining a clearance area under Part III of the principal Act, or
 - (b) a clearance order under the said Part III, or
 - (c) a compulsory purchase of land under section three of this Act or section sixteen of the principal Act,which by sub-paragraph (b) of paragraph 3 of the First Schedule to the principal Act, or sub-paragraph (b) of paragraph 3 of the Third Schedule to that Act, or paragraph (b) of sub-paragraph (1) of paragraph 3 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, is to be served on an owner, lessee or occupier may be served in accordance with sub-paragraph (2) of this paragraph.
 - (2) The notice may be served on an owner, lessee or occupier of land by addressing it to him by the description of "owner" or "lessee" or "occupier" of the land (describing it) to which it relates and by delivering it to some person on the premises or, if there is no person on the premises to whom it may be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.
 - (3) The provisions of this paragraph shall be without prejudice to the power to serve a notice in accordance with section one hundred and sixty-seven of the principal Act or paragraph 19 of the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946.
- 2 (1) Where the Minister would apart from this paragraph be required to hold a public local inquiry relating to—
 - (a) a compulsory purchase of land in or surrounded by or adjoining a clearance area under Part III of the principal Act, or
 - (b) a clearance order under the said Part III,in pursuance of paragraph 4 of the First Schedule or, as the case may be, of paragraph 5 of the Third Schedule to that Act, he may instead afford to any person by whom any objection has been duly made under the said First Schedule or the said Third Schedule, and who has not withdrawn his objection an opportunity of appearing before and being heard by a person appointed by the Minister for the purpose, and shall consider the report of that person before deciding whether to confirm the order to which the objection relates.
 - (2) Section forty-one of the principal Act (which affords an objector to such an order as aforesaid the right to certain information) shall apply in relation to a hearing under this paragraph as it applies in relation to a public local inquiry.

Status: This is the original version (as it was originally enacted).

- 3 The shortest permissible notice required to be given under section one hundred and forty-five of the principal Act (which enables a local authority to obtain possession of land after notice to treat and before completion of the purchase) shall be fourteen days instead of twenty-eight days.

SECOND SCHEDULE

Sections 23, 25, 30, 46.

PROOF OF PAST REPAIRS BY LANDLORD

- 1 Subject to the provisions of the next following paragraph, the declaration mentioned in paragraph (b) of subsection (1) of section twenty-five of this Act is a declaration that during such period of twelve months as may be specified in the declaration, being a period falling within the fourteen months ending with the date of service of the notice of increase accompanying the declaration (which date is hereinafter referred to as " the relevant date "), work of repair of a general description specified in the declaration has been carried out on the dwelling-house to a value not less than three times the amount of the statutory repairs deduction for the dwelling-house.
- 2 Where the relevant date falls within four months of the commencement of this Act, the declaration required by the said paragraph (b) to accompany a notice of increase may, in lieu of being such a declaration as is specified in the foregoing paragraph, be a declaration that during such period of three years as may be specified in the declaration, being a period falling within the four years ending with the relevant date, work of repair of a general description specified in the declaration has been carried out on the dwelling-house to a value not less than six times the amount of the statutory repairs deduction.
- 3 Where—
- (a) under the terms of the tenancy, if the dwelling-house was let at the relevant date, or,
 - (b) under the terms of the last subsisting tenancy, if the dwelling-house had been let before the relevant date but was not let at that date,
- the landlord is or was responsible in part only for the repair of the dwelling-house, the two foregoing paragraphs shall have effect respectively with the substitution for the values therein mentioned of those values proportionately reduced.
- 4 (1) Within twenty-eight days after the relevant date the tenant may apply to the county court to determine whether work of repair has been carried out on the dwelling-house during the period specified in the declaration to a value not less than that so specified and whether that value is at least the value required by the foregoing provisions of this Schedule ; and if on such an application the court is not satisfied that work of repair has been carried out as aforesaid and that the value specified in the declaration is at least the value required as aforesaid, the court shall certify accordingly and thereupon the notice of increase shall be, and be deemed always to have been, of no effect.
- (2) Where, on such an application as aforesaid, it is necessary for the court to determine the extent to which the landlord is or was responsible for the repair of the dwelling-house,—
- (a) section thirty-two of this Act shall apply to that determination, and
 - (b) notwithstanding anything in subsection (5) of section twenty-three of this Act, the determination shall have effect (so far as relevant) for the purposes of that section.

Status: This is the original version (as it was originally enacted).

- 5 Subject to the provisions of the last foregoing paragraph, the service with a notice of increase of such a declaration as is required by this Schedule shall be treated for the purposes of subsection (1) of section twenty-three of this Act as the production of satisfactory evidence that work has been carried out as mentioned in paragraph (b) of that subsection ; and subject as aforesaid the validity of a declaration shall not be questioned on the ground that the value of the work of repair stated in the declaration to have been carried out on the dwelling-house is less than that required by the foregoing provisions of this Schedule.
- 6 If in such a declaration any person makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular he shall be liable on summary conviction to a fine not exceeding thirty pounds.
- 7 (1) For the purposes of this Schedule work which enured solely for the benefit of the dwelling-house shall be treated as having been carried out on the dwelling-house notwithstanding that the site of the work was not comprised in the dwelling-house.
- (2) For the purposes of this Schedule work which enured for the benefit of the dwelling-house and also of other premises shall, whether the work was carried out on a site comprised in the dwelling-house or elsewhere, be treated as having been carried out on the dwelling-house to a value equal to such proportion of the value of the work as ought to be apportioned to the dwelling-house.
- (3) In the case of a building containing two or more dwelling-houses the landlord may elect that for the purposes of this Schedule the value of the work carried out on each of the dwelling-houses during any period shall be determined as follows:—
- (a) there shall be ascertained the aggregate value of all work of repair carried out during that period either on the building or so as to enure solely for the benefit of premises comprised in the building;
- (b) the value of the work of repair carried out during that period on any of the dwelling-houses comprised in the building shall be taken to be an amount which bears to the amount of the statutory repairs deduction for that dwelling-house the same proportion as the aggregate value mentioned in the last foregoing sub-paragraph bears to the aggregate of the amounts of the statutory repairs deductions for all the dwelling-houses comprised in the building.
- 8 For the purposes of this Schedule work shall be disregarded—
- (a) if or in so far as it was carried out by and at the cost of the tenant or any predecessor in title of his, or by and at the cost of any person claiming under the tenant or any predecessor in title of his ;
- (b) if or in so far as the cost thereof has been or will be reimbursed under Part I of the War Damage Act, 1943.

Status: This is the original version (as it was originally enacted).

THIRD SCHEDULE

Section 23.

GROSS VALUES AND STATUTORY REPAIRS DEDUCTIONS

PART I

DWELLING-HOUSES IN COUNTY OF LONDON

First column		Second column	
Gross value		Statutory repairs deduction	
Exceeding	Not exceeding		
£	£	£	
1	3	1	
3	6	2	
6	8	3	
8	11	4	
11	13	5	
13	16	6	
16	21	7	
21	25	8	
25	29	9	
29	33	10	
33	37	11	
37	42	12	
42	47	13	
47	52	14	
52	57	15	
57	62	16	
62	67	17	
67	72	18	
72	77	19	
77	82	20	
82	87	21	
87	92	22	
92	97	23	
97	—	24	

Status: This is the original version (as it was originally enacted).

PART II

DWELLING-HOUSES OUTSIDE COUNTY OF LONDON

First column Gross value		Second column Statutory repairs deduction
Exceeding	Not exceeding	
£	£	£
1	3	1
3	6	2
6	8	3
8	11	4
11	13	5
13	16	6
16	29	7
29	33	8
33	37	9
37	52	10
52	57	11
57	62	12
62	67	13
67	72	14
72	77	15
77	82	16
82	87	17
87	92	18
92	97	19
97	102	20
102	108	21
108	114	22
114	120	23
120	—	24

FOURTH SCHEDULE

Section 33.

MODIFICATIONS OF RENT ACTS IN APPLICATION TO TENANCIES
 PREVIOUSLY EXEMPTED UNDER S. 3 (2) (C) OF ACT OF 1939

- 1 In the provisions specified in the following Table there shall be substituted, for the references to the passing or the commencement of the Act of 1939, references to the following date, that is to say—
- (a) if on the eleventh day of November, nineteen hundred and fifty-three, the dwelling-house was let under such a tenancy as is mentioned in paragraph (b) of subsection (6) of section thirty-three of this Act, that date ;
 - (b) in any other case, the date before the commencement of this Act on which it was first so let.

TABLE

Act of 1920	Section 1. Section 2 (1) (a). Section 2 (1) (b). Section 7, proviso (i). Section 9 (1). Section 10. Section 12 (1) (a). Section 12 (1) (b).
Act of 1933.	Schedule 1, paragraph (h).

- 2 In the Act of 1920 the proviso to section one shall be omitted.
- 3 In subsection (4) of section four of the Act of 1933 for the reference to the commencement of the Act of 1939 there shall be substituted a reference to the commencement of this Act.
- 4 In section six of the Act of 1933 for the words from " at which the dwelling-house was let" to " the rent at which it was first let" there shall be substituted the words " at which the dwelling-house was let on the date specified in paragraph 1 of the Fourth Schedule to the Housing Repairs and Rents Act, 1954. "

FIFTH SCHEDULE

Section 54.

REPEALS

Session and Chapter	Short Title	Extent of Repeal
10 & 11 Geo. 5. c. 17.	The Increase of Rent and Mortgage Interest (Restrictions) Act, 1920.	In section two, subsections (2), (4) and (5); in section three, in subsection (2), the words from " or where such" to " one clear week ".

Status: This is the original version (as it was originally enacted).

Session and Chapter	Short Title	Extent of Repeal
13 & 14 Geo. 5. c. 32.	The Rent and Mortgage Interest Restrictions Act, 1923.	Section five: in section eighteen, subsection (1), in subsection (3) the words " of a sanitary authority or " and the words " authority or " (in each place in which the last-mentioned words occur), and subsections (4) and (5)
23 & 24 Geo. 5. c. 32.	The Rent and Mortgage Interest Restrictions (Amendment) Act, 1933.	Section twelve; in the First Schedule, in paragraph (g), the word " either ", the word " or " in the fourth place in Which it occurs, and sub-paragraph (ii).
26 Geo. 5. & 1 Edw. 8. c. 51.	The Housing Act, 1936.	In section two, in subsection (1), the words "in all respects reasonably ". Sections six to eight. In section nine, in subsection (1), the words " in any respect". In section twenty-four, the words " subject to the provisions of section eight of this Act ". In section twenty-five, in paragraph (a) of subsection (1), the words " by reason of disrepair or sanitary defects ". In section thirty-three, paragraph (a) of the proviso. In section forty, in subsection (2), the words " by reason of disrepair or sanitary defects ". In section forty-two, in subsection (1), the words " notwithstanding its sanitary defects ". In section fifty-one, in subsection (1), the words " in all respects ".

Status: This is the original version (as it was originally enacted).

Session and Chapter	Short Title	Extent of Repeal
		In section ninety-one, in subsection (2), the words "in all respects ".
		In section one hundred and seventy-five, paragraph (a) of subsection (1).
		In section one hundred and eighty-eight, in subsection (1), the definition of " sanitary defects ", and subsection (4).
		In the Third Schedule, in paragraph 2, the words " by reason of disrepair or sanitary defects ".
26 Geo. 5. & 1 Edw. 8. c. 50.	The Public Health (London) Act, 1936.	Section one hundred and fifty-five.
2 & 3 Geo. 6. c. 71.	The Rent and Mortgage Interest Restrictions Act, 1939.	In section three, paragraph (c) of subsection (2).
12, 13 & 14 Geo. 6. c. 40.	The Landlord and Tenant (Rent Control) Act. 1949.	In section one, subsection (7).
12, 13 & 14 Geo. 6. c. 60.	The Housing Act, 1949	Section ten. In section twenty, in subsection (4), the words from " nor more than six hundred pounds" to the end of the subsection. In section twenty-one, the proviso to subsection (1). In section twenty-three, in paragraph (d) of subsection (1), the words " in all respects ".
—	The Defence (General) Regulations, 1939.	Regulations 68A and 68AA.

TABLE OF STATUTES REFERRED TO IN THIS ACT

Short Title	Session and Chapter
Lands Clauses Consolidation Act, 1845	8 & 9 Vict. c. 18.
Public Health Act, 1875	38 & 39 Vict. c. 55.
Industrial and Provident Societies Act, 1893	56 & 57 Vict. c. 39.

Status: This is the original version (as it was originally enacted).

Short Title	Session and Chapter
Housing, Town Planning, &c. Act, 1919	9 & 10 Geo. 5. c. 35.
Increase of Rent and Mortgage Interest (Restrictions) Act, 1920	10 & 11 Geo. 5. c. 17.
Rent Restrictions (Notices of Increase) Act, 1923	13 & 14 Geo. 5. c. 13.
Housing &c. Act, 1923	13 & 14 Geo. 5. c. 24.
Rent and Mortgage Interest Restrictions Act, 1923	13 & 14 Geo. 5. c. 32.
Housing Act, 1925	15 & 16 Geo. 5. c. 14.
Housing Act, 1930	20 & 21 Geo. 5. c. 39.
Rent and Mortgage Interest Restrictions (Amendment) Act, 1933	23 & 24 Geo. 5. c. 32.
Housing Act, 1935	25 & 26 Geo. 5. c. 40.
Public Health (London) Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 50.
Housing Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 51.
Increase of Rent and Mortgage Interest (Restrictions) Act, 1938	1 & 2 Geo. 6. c. 26.
Rent and Mortgage Interest Restrictions Act, 1939	2 & 3 Geo. 6. c. 71.
War Damage Act, 1943	6 & 7 Geo. 6. c. 21.
Housing (Temporary Accommodation) Act, 1945	8 & 9 Geo. 6. c. 39.
Furnished Houses (Rent Control) Act, 1946	9 & 10 Geo. 6. c. 34.
Acquisition of Land (Authorisation Procedure) Act, 1946	9 & 10 Geo. 6. c. 49.
New Towns Act, 1946	9 & 10 Geo. 6. c. 68.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.
Agricultural Wages Act, 1948	11 & 12 Geo. 6. c. 47.
Landlord and Tenant (Rent Control) Act, 1949	12, 13 & 14 Geo. 6. c. 40.
Housing Act, 1949	12, 13 & 14 Geo. 6. c. 60.
National Parks and Access to the Countryside Act, 1949	12, 13 & 14 Geo. 6. c. 97.
Reserve and Auxiliary Forces (Protection of Civil Interests) Act, 1951	14 & 15 Geo. 6. c. 65.
Housing Act, 1952	15 & 16 Geo. 6. & 1 Eliz. 2. c. 53.
Local Government (Miscellaneous Provisions) Act, 1953	1 & 2 Eliz. 2. c. 26.