
STATUTORY INSTRUMENTS

1995 No. 2451

The Local Government Changes (Rent Act) Regulations 1995

Schemes for appointment of rent officers: transitional

8.—(1) Where the Secretary of State—

- (a) has made a local government reorganisation order, and
- (b) proposes in the interim period to make a scheme under section 63 of the Rent Act 1977⁽¹⁾ for an area which falls wholly or partly within a local government area affected by the order,

he shall, in making the scheme, take account of the provisions of the local government reorganisation order and of any supplementary order; and his obligation to consult under subsection (1) of that section shall apply subject to paragraphs (2) and (3) below.

(2) Where the proposed scheme is to take effect before the reorganisation date, the Secretary of State's obligation to consult on the scheme under subsection (1) of section 63 of the 1977 Act shall include an obligation to consult any local authority—

- (a) which he would be required to consult under that subsection if the scheme were made after the reorganisation date, and
- (b) which will be in existence when the scheme is made.

(3) Where the proposed scheme is to take effect on or after the reorganisation date, the Secretary of State's obligation to consult on the scheme under that subsection shall be read as an obligation to consult any local authority which he would be required to consult under that subsection if the scheme were made after the reorganisation date.

(4) In this regulation—

“interim period”, in relation to a local government reorganisation order, means the period beginning with the date on which the order is made and ending with the reorganisation date;

“local government reorganisation order” means an order under section 17 of the Local Government Act 1992 (local government reorganisation orders) which provides for a structural change or a boundary change within the meaning of Part II of that Act;

“reorganisation date”, in relation to a local government reorganisation order, has the meaning given in that order;

“supplementary order” means, in relation to a local government reorganisation order, any order—

- (a) which is made under section 17 of the Local Government Act 1992 after the local government reorganisation order; and
- (b) which—
 - (i) makes provision relating to the structural or boundary change effected or to be effected by the local government reorganisation order; or

(1) Section 63 was amended by section 121(3) of and Part I of Schedule 14 and Schedule 18 to the Housing Act 1988 (c. 50) and paragraph 13(3) of Schedule 8 to the Local Government Act 1985; and is amended by regulation 4 of these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (ii) makes provision, in connection with the local government reorganisation order (or a later order made under section 17 of the 1992 Act in connection with the local government reorganisation order), which is equivalent to that which may be contained in regulations under section 19 of that Act.