
STATUTORY INSTRUMENTS

1998 No. 1967

**LANDLORD AND TENANT,
ENGLAND AND WALES**

**The Assured and Protected Tenancies
(Lettings to Students) Regulations 1998**

Made - - - - *11th August 1998*
Laid before Parliament *11th August 1998*
Coming into force - - *1st September 1998*

In exercise of the powers conferred on the Secretary of State by section 8 of the Rent Act 1977⁽¹⁾ and paragraph 8 of Schedule 1 to the Housing Act 1988⁽²⁾, the Secretary of State for Education and Employment, as respects England, and the Secretary of State for Wales, as respects Wales, hereby make the following Regulations:

1. These Regulations may be cited as the Assured and Protected Tenancies (Lettings to Students) Regulations 1998 and shall come into force on 1st September 1998.

2. In these Regulations—

“assisted” has the same meaning as in section 579(5) and (6) of the Education Act 1996⁽³⁾;

“further education” has the meaning assigned to it by section 2(3) and (5) of the Education Act 1996;

“higher education” means education provided by means of a course of any description mentioned in Schedule 6 to the Education Reform Act 1988⁽⁴⁾;

“publicly funded” refers to an institution which is—

- (a) provided or assisted by a local education authority;
- (b) in receipt of grant under regulations made under section 485 of the Education Act 1996;
- (c) within the higher education sector (within the meaning of section 91(5) of the Further and Higher Education Act 1992⁽⁵⁾), other than a university; or

(1) 1977 c. 42.
(2) 1988 c. 50.
(3) 1996 c. 56.
(4) 1988 c. 40.
(5) 1992 c. 13.

(d) within the further education sector (within the meaning of section 91(3) of the Further and Higher Education Act 1992), and

“the relevant enactments” means section 8 of the Rent Act 1977 and paragraph 8 of Schedule 1 to the Housing Act 1988 (lettings to students).

3. The following institutions are hereby specified as educational institutions for the purposes of the relevant enactments, that is to say—

- (a) any university or university college and any constituent college, school or hall or other institution of a university;
- (b) any other institution which provides further education or higher education or both and which is publicly funded;
- (c) the David Game Tutorial College, London.

4. The following bodies of persons (whether unincorporated or bodies corporate) are hereby specified as bodies for the purposes of the relevant enactments, that is to say—

- (a) the governing body of any educational institution specified in regulation 3 above;
- (b) the body, other than a local education authority, providing any such educational institution; and
- (c) a body listed in Schedule 1 to these Regulations.

5. The following bodies of persons (whether unincorporated or bodies corporate) are hereby specified as bodies for the purposes of paragraph 8 of Schedule 1 to the Housing Act 1988, that is to say—

- (a) any housing association (as defined in section 1 of the Housing Associations Act 1985⁽⁶⁾) which is registered by the Housing Corporation or Housing for Wales in accordance with Part I of the Housing Associations Act 1985 and which is not listed in Schedule 1 to these Regulations; and
- (b) a body listed in Schedule 2 to these Regulations.

6. The Regulations specified in Schedule 3 to these Regulations are hereby revoked to the extent detailed in that Schedule.

7th August 1998

Tessa Blackstone
Minister of State,
Department for Education and Employment

11th August 1998

Peter Hain
Parliamentary Under Secretary of State, Welsh
Office

(6) 1985 c. 69; Part I was amended by Part II of, and Schedule 6 to, the Housing Act 1988 (c. 50).

SCHEDULE 1

Regulation 4(c)

SPECIFIED BODIES UNDER REGULATION 4(c)

International Students House
The London Goodenough Trust for Overseas Graduates

SCHEDULE 2

Regulation 5(b)

SPECIFIED BODIES UNDER REGULATION 5(b)

AFSIL Limited
Derbyshire Student Residences Limited
Friendship Housing
Hull Student Welfare Association
International Lutheran Student Centre
International Students Club (Church of England) Limited
International Students' Club (Lee Abbey) Limited
International Students Housing Society
Oxford Brookes Housing Association Limited
Oxford Overseas Student Housing Association Limited
St. Brigid's House Limited
St. Thomas More Housing Society Limited
The House of St. Gregory and St. Macrina Oxford Limited
The London Mission (West London) Circuit Meeting of the Methodist Church
The London School of Economics Housing Association
The Royal London Hospital Special Trustees
The Universities of Brighton and Sussex Catholic Chaplaincy Association
The Victoria League for Commonwealth Friendship
University of Leicester Students' Union
Wandsworth Students Housing Association Limited
York Housing Association Limited

SCHEDULE 3

Regulation 6

REVOCATIONS

(1) <i>Regulations revoked</i>	(2) <i>References</i>	(3) <i>Extent of revocation</i>
The Assured and Protected Tenancies (Lettings to Students) Regulations 1988.	S.I.1988/2236 .	The whole Regulations.

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(1) <i>Regulations revoked</i>	(2) <i>References</i>	(3) <i>Extent of revocation</i>
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1989.	S.I. 1989/1628 .	The whole Regulations.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1990.	S.I. 1990/1825 .	The whole Regulations.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1991.	S.I. 1991/233 .	The whole Regulations.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1992.	S.I. 1992/515 .	The whole Regulations.
The Further and Higher Education Act 1992 (Consequential Amendments) Regulations 1993.	S.I. 1993/559 .	Regulation 6.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1993.	S.I. 1993/2390 .	The whole Regulations.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) Regulations 1996.	S.I. 1996/458 .	The whole Regulations.
The Assured and Protected Tenancies (Lettings to Students) (Amendment) (No. 2) Regulations 1996.	S.I. 1996/2198 .	The whole Regulations.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 8 of the Rent Act 1977 and paragraph 8 of Schedule 1 to the Housing Act 1988 except from the definition of “protected tenancy” and “assured tenancy” in section 1 of the respective Acts a tenancy granted to a person who is pursuing, or intends to pursue, a course of study provided by a specified educational institution. The tenancy must be granted either by that institution or by another

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specified institution or body of persons. These Regulations specify the educational institutions and other bodies for the purposes of those provisions.

These Regulations consolidate the earlier Regulations specifying institutions and bodies for the purposes of the said section 8 and paragraph 8 with minor and drafting amendments to take account of the change in name of certain bodies listed therein and to delete references to certain other bodies.