

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,509 of 10th August, 1989.



I ASSENT,
PETER TERRY,
GOVERNOR.

10th August, 1989.



GIBRALTAR

No. 29 of 1989.

AN ORDINANCE to amend the Landlord and Tenant Ordinance and repeal the Labour from Abroad (Accommodation) Ordinance.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Ordinance may be cited as the Landlord and Tenant (Amendment) Ordinance, 1989.

Amendment to Section 3.

2. Section 3 of the Landlord and Tenant Ordinance (hereinafter referred to as "the principal Ordinance") is amended in paragraph (b) of subsection (1)-

(a) by substituting a semicolon and the word "and" for the full stop at the end of the paragraph, and

(b) by inserting after paragraph (b) the following new paragraph-

"(c) a person who immediately before coming into operation of section 36A was in lawful occupation of premises register 1 under the provisions of the Labour from Abroad a Accommodation) Ordinance."

Repeal and replacement of Section 22.

3. Section 22 of the Principal Ordinance is repealed and the following section is substituted therefor-

"Revision of statutory rent on ground of structural alterations.

22.(1) Where, on application by the landlord of dwellinghouse to which this Part applies, the Rent Tribunal is satisfied that-

(a) substantial structural alterations have been carried out, or are to be carried out, to the dwellinghouse; and

(b) the bona fide effect of such alterations is or will be, when carried out, to reconstruct the dwellinghouse either-

(i) into a unit that is substantially larger than before the alterations; or

(ii) into 2 or more separate, self-contained flats; and

(c) such alterations do not or will not, when they are carried out, have the effect of decreasing the overall housing stock; and

(d) no undue hardship will be caused to any tenant of the dwellinghouse by such alterations-

the Rent Tribunal may make an order declaring a new statutory rent taking into consideration the capital expended in the structural alteration and the improved nature of the accommodation provided as the result thereof.

(2) An order made under subsection (1) shall take effect from the date on which the substantial structural alterations to the dwellinghouse are certified by the Director of Crown Lands to have been completed in a proper and workmanlike manner in accordance with the requirements of that subsection".

Repeal of Section 35.

4. Section 35 of the principal Ordinance is repealed.

New section.

5. The principal Ordinance is further amended in Part III by inserting after section 36 the following new section-

"Provisions with respect to premises used for the accommodation of certain non-resident workers, and repeal of Ordinance No. 5 of 1971.

36A. (1) Notwithstanding the provisions of section 10, any premises which immediately before the coming into operation of this section were registered under the provisions of the Labour from Abroad (Accommodation) Ordinance shall be deemed to be a dwelling house to which this Part applies.

(2) The maximum weekly charge payable by a person immediately before the coming into operation of this section for accommodation in the premises referred to in subsection (1) shall be treated as the statutory rent in relation to the tenancy of such premises until a different rent shall have been determined in accordance with this Ordinance.

(3) The Labour from Abroad (Accommodation) Ordinance is repealed."

Amendment to section 69.

6. Section 69 of the principal Ordinance is amended by inserting after subsection (2) the following subsection-

"(2A). A person aggrieved by the amount of the premium charged by the landlord for a consent to an assignment may appeal to the Supreme Court for a determination of that amount as the Supreme Court may, in all the circumstances of the case, think just."

Passed by the Gibraltar House of Assembly on the 1st day of August, 1989.

C. M. COOM,

Clerk to the Assembly.