

Subsidiary Legislation made under ss.11A and 81.

## **Statutory Rent (Forty-five Year Rule) Regulations 1992**

**LN.1992/082**

*Commencement*                      **1.7.1992**

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### **ARRANGEMENT OF REGULATIONS**

Regulation

1. Title and commencement.
2. Application.
3. Application for determination of statutory rent.
4. Determination of application for a statutory rent.

**1983-49**

## Landlord and Tenant

### **1992/082 Statutory Rent (Forty-five Year Rule) Regulations 1992**

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*In exercise of the powers conferred on him by sections 11A and 81 of the Landlord and Tenant Act and of all other enabling powers, the Governor has made the following regulations-*

#### **Title and commencement.**

1. These regulations may be cited as the Statutory Rent (Forty-five Year Rule) Regulations 1992 and shall come into effect on the 1st day of July 1992.

#### **Application.**

2. These regulations apply to a dwelling house falling within sections 10(1)(a) not being a dwelling house built on or before 1st day of January 1945 and falling to be dealt with in respect of a statutory rent in accordance with section 11.

#### **Application for determination of statutory rent.**

3. Where a tenant makes an application to the Rent Assessor for determination of the statutory rent in respect of a dwelling house falling within section 11A, the application shall be in the form prescribed by the Rent Assessor from time to time for this purpose.

#### **Determination of application for a statutory rent.**

4.(1) The Rent Assessor, in determining an application made under regulation 3, shall take account-

- (a) in respect of the dwelling house of—
  - (i) the size, including the numbers and categories of the rooms;
  - (ii) the state of repair and maintenance;
  - (iii) the terms of the tenancy generally and specifically the provisions relating to liability for repair and maintenance;
- (b) transactions he has approved under section 15 in respect of dwelling houses of similar—
  - (i) size and accommodation; and
  - (ii) state of repair and maintenance; and
  - (iii) tenancy terms;

- (c) rents he has determined under these regulations.
  
- (2) In the application of paragraphs (b) and (c) of sub-regulation (1), in the determination of a rent, the Rent Assessor shall take into account the period of time that has elapsed between the date on which the determination falls to be made and the date or dates on which the transaction or rent, as the case may be, of which he is taking account, was approved or determined, and where a period of time of more than six months has elapsed, he may adjust any figure of which he takes account by the increase in the retail price index in that period.
  
- (3) The Rent Assessor shall issue to the tenant and to the landlord a notice setting out his determination in the form prescribed by the Rent Assessor from time to time for this purpose.
  
- (4) The determination by the Rent Assessor shall take effect from the date of the notice issued in accordance with sub-regulation (3).