Given under the official seal of the Minister of Housing and Local Government this thirtieth day of July, nineteen hundred and fifty-four.

(L.S.) *Harold Macmillan,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These regulations contain provisions regulating the proceedings before Rent Tribunals under sections 24 (3) (*b*) and 40 (2) (*b*) of the Housing Repairs and Rents Act, 1954.

Under section 24 (3) (*b*) a Tribunal may, on the application of a landlord or a tenant, determine what part of the rent represents payment for furniture or services. Under section 40 (2) (*b*) a Tribunal may, on the application of a landlord, determine that the landlord should be entitled to an increase of rent of an amount specified in the determination in respect of a rise, over the period beginning with the third day of September, 1939, and ending with the thirtieth day of August, 1954, in the cost of services provided by the landlord for the tenant.

1954 No. 1156 (S. 110)

The Housing Repairs and Rents (Rent Tribunal) (Scotland) Regulations, 1954

Made - - - - 28*th August*, 1954
Coming into Operation 30*th August*, 1954

In exercise of the powers conferred on me by section 6 of the Rent of Furnished Houses Control (Scotland) Act, 1943(**a**), as amended by section 38 of the Housing (Repairs and Rents) (Scotland) Act, 1954(**b**), and of all other powers enabling me in that behalf, I hereby make the following regulations:—

1. These regulations may be cited as the Housing Repairs and Rents (Rent Tribunal) (Scotland) Regulations, 1954, and shall come into operation on the 30th day of August, 1954.

2.—(1) In these regulations, the following expressions have the meanings hereby assigned to them:—

"the Act" means the Housing (Repairs and Rents) (Scotland) Act, 1954;

"application" means an application to the tribunal under section 31 of the Act;

"tribunal" means the tribunal constituted under the Rent of Furnished Houses Control (Scotland) Act, 1943, for the area in which the dwelling-house to which the application relates is situated.

(2) The Interpretation Act 1889(**c**), shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3. An application, which shall be in writing, shall be lodged with or sent to the clerk to the tribunal and shall specify the address of the dwelling-house to which the application relates, the name of the tenant, the name and address

(a) 6 & 7 Geo. 6. c. 44. (b) 2 & 3 Eliz. 2. c. 50. (c) 52 & 53 Vict. c. 63.

of the landlord and the services which are under the terms and conditions of letting of the dwelling-house to be provided, or are provided, by the landlord.

4.—(1) Where an application is made to a tribunal, the tribunal shall give notice in writing to each party to the tenancy of the dwelling-house to which the application relates informing him that he may, within such time as the tribunal may allow (not being less than seven days from the date of the notice)—

(*a*) inform the clerk to the tribunal that he desires to be heard by them, or

(*b*) send to the clerk to the tribunal representations in writing for their consideration.

Provided that the tribunal may extend the time stated in the notice.

(2) If either party to the tenancy informs the clerk to the tribunal that he desires to be heard by them, the tribunal shall give to each party not less than four clear days' notice in writing of the time and place at which the parties will be heard.

5.—(1) At any hearing before a tribunal a party may appear in person or by counsel or a solicitor or by any other representative or may be accompanied by any person whom he may wish to assist him at the hearing.

(2) Subject to the provisions of these regulations, the procedure at a hearing before a tribunal shall be as directed by the tribunal who may postpone or adjourn the hearing from time to time as they think fit.

6.—(1) Any determination made by the tribunal under section 31 of the Act shall be in writing and shall be signed by the chairman.

(2) The clerk to the tribunal shall send notification of any such determination to each party to the tenancy of the dwelling-house to which it relates.

7. Where any notice or notification is required or authorised by these regulations to be given by a tribunal, it may be sent by post in a pre-paid letter addressed to the person for whom it is intended at his usual or last known address.

Dated this 28th day of August, 1954.

James Stuart,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh, 1.

EXPLANATORY NOTE

(*This Note is not part of the Regulations, but is intended to indicate their general purport.*)

These regulations contain provisions regarding the proceedings before rent tribunals on an application made under section 31 of the Housing (Repairs and Rents) (Scotland) Act, 1954. Under that section a tribunal may, on the application of a landlord, determine that he should be entitled to an increase of rent of an amount specified in the determination in respect of a rise, over the period from 3rd September, 1939, to 30th August, 1954, in the cost of services provided by the landlord for the tenant.