STATUTORY INSTRUMENTS

1974 No. 2157

COUNTER-INFLATION

The Counter-Inflation (Residential Rents) (Northern Ireland) (No. 2) Order 1974

Made - - -	19*th December* 1974
Laid before Parliament	23*rd December* 1974
Coming into Operation	31*st December* 1974

In exercise of the powers conferred on me by sections 11 and 23(2) of, and paragraphs 1 and 3 of Schedule 3 to, the Counter-Inflation Act 1973**(a)**, I hereby make the following Order:—

Citation, commencement and extent

1.—(1) This order may be cited as the Counter-Inflation (Residential Rents) (Northern Ireland) (No. 2) Order 1974 and shall come into operation on 31st December 1974.

(2) This order extends to Northern Ireland only.

Interpretation

2.—(1) The Interpretation Act 1889**(b)** shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

"the principal order" means the Counter-Inflation (Residential Rents) (Northern Ireland) Order 1974**(c)**;

"the remainder of the standstill period" means in relation to any tenancy of a dwelling-house to which the principal order applies, that part of the standstill period remaining unexpired on the coming into operation of this order;

and any other expression used in this order which is also used in the principal order shall, unless otherwise expressly provided or the context otherwise requires, have the same meaning in this order as it has in the principal order.

Extension of the standstill period

3. For the purposes of the principal order the standstill period shall be extended beyond 31st December 1974 so as to end with 31st March 1975 and any reference in that order or this order to the standstill period shall be construed accordingly.

(a) 1973 c.9. **(b)** 1889 c.63. **(c)** S.I. 1974/660 (1974 I, p.2628).

Increase in counter-inflation limit in respect of certain services

4.—(1) Where there is a rise (whether occurring before or after the coming into operation of this order) in the cost of fuel used for the purposes of a service provided for the tenant by the landlord or a superior landlord and this rise is such as to affect the amount of the rent which it is reasonable to charge, nothing in the principal order shall prevent the rent recoverable under a tenancy of a dwelling-house to which that order applies being increased in respect of the remainder of the standstill period by an appropriate amount and the counter-inflation limit shall be increased accordingly.

(2) Any question whether, or by what amount, the rent recoverable is increased by virtue of paragraph (1) of this article shall be determined by agreement in writing between the landlord and the tenant or determined by the county court under article 7 of the principal order.

(3) Article 3(5) of the principal order shall not prevent any notice of increase taking effect during the remainder of the standstill period which increases the rent by the appropriate amount as provided in paragraph (1) of this article.

(4) Nothing in the foregoing provisions of this article shall affect the rent recoverable under a tenancy of a dwelling-house to which the principal order applies in respect of that part of the standstill period falling before the coming into operation of this order.

(5) In this article "fuel" includes gas, electricity, coal and oil.

Supplemental

5.—(1) Any reference in article 4, 5, 6, 7 or 8 of the principal order to that order, however expressed, shall, unless the context otherwise requires, include a reference to that order as varied by this order.

(2) Where by virtue of this order there is an increase in the counter-inflation limit in the case of any tenancy of a dwelling-house to which the principal order applies, any necessary adjustment shall be made to take account of rental periods which either begin before the coming into operation of this order and end either during the remainder of the standstill period or after that period has expired or begin during the remainder of the standstill period and end after that period has expired.

Merlyn Rees,
One of Her Majesty's Principal Secretaries of State.

Northern Ireland Office.

19th December 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which applies to Northern Ireland only, varies the Counter-Inflation (Residential Rents) (Northern Ireland) Order 1974 ("the principal order")—

(*a*) by extending to 31st March 1975 the standstill period in respect of all tenancies to which the principal order applies;

(*b*) by removing the prohibition on rent increases under the principal order in respect of the remainder of the standstill period in so far as those increases result from rises in the cost of fuel used in the provision of services and by providing for an appropriate increase in the counter-inflation limit.

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