STATUTORY INSTRUMENTS

1974 No. 434

COUNTER-INFLATION

The Counter-Inflation (Public Sector Residential Rents) (England and Wales) No. 2 Order 1974

Made - - -	15*th March* 1974
Laid before Parliament	15*th March* 1974
Coming into Operation	16*th March* 1974

The Secretary of State for the Environment (as respects England, except Monmouthshire) and the Secretary of State for Wales (as respects Wales and Monmouthshire), in exercise of their powers under sections 11 and 23(2) of, and paragraph 1 of Schedule 3 to, the Counter-Inflation Act 1973(**a**) and of all other powers enabling them in that behalf, hereby make the following order:—

Citation and commencement

1. This order may be cited as the Counter-Inflation (Public Sector Residential Rents) (England and Wales) No. 2 Order 1974 and shall come into operation on 16th March 1974.

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 (Public Sector Residential Rents) (England and Wales) Order 1974(**c**).

Variation of the principal order

3. The principal order shall be varied as follows—

(*a*) in article 2(2)—

(i) in the definition of "authority" after the words "local authority," there shall be inserted the words "a section 80 association,";

(ii) after the definition of "residential tenancy" there shall be inserted the following definitions—

" 'section 80 association' means a housing association in relation to which a section 80 order has (whether before or after the coming into operation of this order) been made;

'section 80 order' means an order made under the provisions of section 80 of the 1972 Act (power to apply to certain housing associations provisions of the Act relating to local authorities);";

(**a**) 1973 c. 9.
(**b**) 1889 c. 63.
(**c**) S.I. 1974/381 (1974 I, p. 1214).

(*b*) in article 4(1), at the beginning, there shall be inserted the words "Subject to article 5A,";

(*c*) in article 5(1)—

(i) at the beginning, there shall be inserted the words "Subject to article 5A,";

(ii) after the words "new letting" where those words first occur there shall be inserted the words "by an authority";

(*d*) after article 5 there shall be inserted the following article—

"Exclusion of certain section 80 association dwellings

5A. In relation to any dwelling where the interest of the landlord belongs to a section 80 association this order shall not apply, unless the dwelling is by virtue of a section 80 order to be treated as a Housing Revenue Account dwelling for the purposes of Parts V and VI of the 1972 Act."

Anthony Crosland,
Secretary of State for the Environment.

15th March 1974.

John Morris,
Secretary of State for Wales.

15th March 1974.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order extends the Counter-Inflation (Public Sector Residential Rents) (England and Wales) Order 1974 (which prevents increases during the standstill period in the rents of dwellings let by local authorities, new town development corporations and the Commission for the New Towns and restricts the rents on reletting of such dwellings) to certain dwellings of any housing association which is treated as a local authority by virtue of an order made under section 80 of the Housing Finance Act 1972 (c.47). At the date of the making of this Order the North East Housing Association is the only housing association in respect of which a section 80 order has been made.

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