

**Control of Rent Act
(CHAPTER 58)**

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CONTROL OF RENT ACT

(CHAPTER 58)

(Original Enactment: Ordinance 22 of 1953)

REVISED EDITION 1985

(30th March 1987)

An Act to control the rents of certain premises and the right to recover possession of those premises and matters incidental thereto.

[20th July 1953]

Short title

1. This Act may be cited as the Control of Rent Act.

Interpretation

2. In this Act except where the context otherwise requires —

“Board” means the Rent Conciliation Board constituted under the provisions of the Control of Rent Ordinance 1947 or this Act, as the case may be;

[\[24/47\]](#)

“domestic premises” means a building or part of a building used wholly or chiefly as a separate dwelling;

“landlord” means the landlord of premises in respect of which a tenancy exists and

includes the landlord of a statutory tenant and in the case of a subtenancy a tenant who sublets the premises or any part thereof;

“member of his family” means —

- (a) the husband or widower;
- (b) the wife or widow;
- (c) the father or mother; or
- (d) a son or daughter either of whom is over 16 years of age; and

where the tenancy has not been determined according to law includes a legal personal representative;

“order of the Board” means the last order of the Board by which the rent of the premises is fixed;

“premises” means any dwelling-house, flat, factory, warehouse, office, counting house, shop, school and any other building whether of permanent or temporary construction in which persons are employed or work and any part of any such building let or sublet separately and includes any land whereon any such building is or has been erected with the consent of the landlord but does not include any new building built or completed after 7th September 1947;

“rent” includes any sum paid as rent or hire for the use of furniture where premises are let furnished or where premises are let and the furniture therein is hired by the landlord to the tenant;

“standard rent” means —

- (a) if the rent has been fixed by the Board prior to the commencement of this Act, the rent so fixed;
- (b) if the rent has not been fixed by the Board prior to the commencement of this Act, the rent of the premises as at 1st August 1939; or in the case of premises which were then unlet, unoccupied or unbuilt, the rent at which the premises were first let after 1st August 1939;

“tenancy” means any lease, demise, letting or holding of premises whether in writing or otherwise, by virtue whereof the relationship of landlord and tenant is created, but does not include the letting or hiring of furnished rooms with board;

“tenant” means the tenant of premises in respect of which a tenancy exists and includes a statutory tenant and in the case of a sub-tenancy a sub-tenant to

whom the premises or part thereof is sublet.

PART I

RENT AND PREMISES

Restriction on increasing rent

3.—(1) Subject to this Act it shall be unlawful for any landlord to increase or attempt to increase or to receive or recover a rent in respect of any tenancy of premises in excess of the rent fixed by an order of the Board, or, if no order has been made, in excess of the standard rent.

(2) Where any premises are let furnished and no order of the Board exists fixing the combined rent of the premises and furniture, the landlord shall not receive or recover from the tenant in respect of the combined rent of the premises and furniture a sum exceeding the standard rent of the premises unfurnished, with the addition of:

- (a) 50% of the standard rent; or
- (b) a monthly rental to be assessed at one-sixtieth of the true value of the furniture,

whichever is less.

(3) Where as a result of any transfer to a tenant of any burden or liability previously borne by the landlord, the terms on which premises are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased whether or not the sum periodically payable by way of rent is increased.

(4) A tenant who has paid his landlord a sum in excess of the rent which may lawfully be received under this section may recover that sum from the landlord.

Charging of premium prohibited

4. No person shall as a condition of the grant, renewal, transfer or continuance of a tenancy require the payment of any fine, premium or other like sum or the giving of any other valuable consideration in addition to the rent and any sum or other valuable consideration paid or given in contravention of this section shall be recoverable by the person by whom it was made or given.

Penalty

5.—(1) Any person who contravenes section 3 or 4 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 and for a second or subsequent offence shall be liable to a fine not exceeding \$2,000 or to imprisonment