Draft Regulations laid before Parliament under section 150 of the Local Government and Housing Act 1989, for approval by each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

1998 No.

LOCAL GOVERNMENT, ENGLAND AND WALES
HOUSING, ENGLAND AND WALES

The Houses in Multiple Occupation (Charges for Registration Schemes) Regulations 1998

Made - - - -	*1998*
Coming into force - -	*1998*

The Secretary of State for the Environment, Transport and the Regions, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 150 and 152(5) of the Local Government and Housing Act 1989(**1**) and of all other powers enabling them in that behalf, after consultation with such representatives of local government as appear to them to be appropriate, hereby make the following Regulations, a draft of which has been laid before, and has been approved by resolution of, each House of Parliament:

Citation and commencement

1. These Regulations may be cited as the Houses in Multiple Occupation (Charges for Registration Schemes) Regulations 1998 and shall come into force on the twenty eighth day after the day on which they are made.

Interpretation and application

2.—(1) In these Regulations—

"the Act" means the Housing Act 1985(**2**);

"control provisions", "local housing authority" and "registration scheme" have the same meanings as in Part XI of the Act(**3**);

(**1**) 1989 c. 42. Section 152(5) is cited because of the meaning assigned to the word "prescribed".
(**2**) 1985 c. 68: relevant amendments are made to this Act by paragraphs 45 to 48 of Schedule 9 to the Local Government and Housing Act 1989, and sections 65 to 80 of the Housing Act 1996 (c. 52).
(**3**) For the index of defined expressions, *see* section 400.

"house" means a house in multiple occupation within the meaning of that Part or, as the circumstances of the case require, a building or part of a building intended to be used as such a house.

(2) These Regulations apply to registration schemes containing control provisions made under Part XI of the Act as amended by the Housing Act 1996.

Power to charge in respect of registration schemes for houses in multiple occupation containing control provisions

3.—(1) A local housing authority may impose a charge in respect of their dealing with an application for the first registration, or the renewal of the registration, of a house in pursuance of control provisions contained in a registration scheme.

(2) A charge imposed under these Regulations is payable by the person making an application for the first registration, or the renewal of the registration, of the house, at the time of the making of the application.

Amount of charge

4.—(1) The amount of a charge on the application for the first registration of a house is to be at the local housing authority's discretion, subject to a maximum amount of £60 multiplied by the number of habitable rooms, and for the purposes of this paragraph a room is habitable if it is of a type normally used in the locality as a living room or a bedroom.

(2) The amount of a charge on an application for the renewal of the registration of a house is half the charge that would then have been payable on an application for the first registration of that house.

(3) Where—

(a) a house in multiple occupation has been or is registered under a scheme and a new registration scheme is made which applies to that house, and

(b) in the five year period prior to the date the new scheme comes into force, a charge has been paid to the local housing authority on the application for the first registration or for the renewal of it, or a fee has been paid to the local housing authority on its registration under a previous scheme in accordance with the Houses in Multiple Occupation (Fees for Registration Schemes) Order 1997(**4**),

the amount of the charge payable shall be the amount that would otherwise be payable in accordance with paragraphs (1) and (2), less the aggregate of the charges and fees so paid.

Revocation and Saving

5.—(1) Subject to paragraph (2), the Houses in Multiple Occupation (Charges for Registration Schemes) Regulations 1991(**5**) are hereby revoked.

(2) Those Regulations shall remain in force in relation to registration schemes made under Part XI of the Act prior to its amendment by the Housing Act 1996.

(**4**) 1997/229.
(**5**) 1991/982.