

I assent.

**EDWARD V. LUCKHOO**

Acting  
Governor-General.

31st December, 1969.

ACT NO. 31 OF 1969.

RENT RESTRICTION (AMENDMENT) ACT, 1969.

Arrangement of Sections.

Section

1. Short title and commencement.
2. Amendment of the long title of the Principal Ordinance.

3. Repeal and re-enactment of section 2 of the Principal Ordinance.
4. Amendment of section 3 of the Principal Ordinance.
5. Repeal and re-enactment of sections 5 and 6 of the Principal Ordinance.
6. Amendment of section 7 of the Principal Ordinance.
7. Amendment of section 8 of the Principal Ordinance.
8. Amendment of section 9 of the Principal Ordinance.
9. Amendment of section 10 of the Principal Ordinance.
10. Amendment of section 11 of the Principal Ordinance.
11. Amendment of section 12 of the Principal Ordinance.
12. Repeal and re-enactment of section 13 of the Principal Ordinance.
13. Amendment of section 14 of the Principal Ordinance.
14. Amendment of section 15 of the Principal Ordinance.
15. Amendment of section 16 of the Principal Ordinance.
16. Amendment of section 19 of the Principal Ordinance.
17. Amendment of section 20 of the Principal Ordinance.
18. Repeal and re-enactment of section 24 of the Principal Ordinance.
19. Amendment of section 26 of the Principal Ordinance.
20. Amendment of section 27 of the Principal Ordinance.
21. Amendment of the Principal Ordinance.
22. Saving.

### SCHEDULE

AN ACT to effect a change in name of the Rent Restriction Ordinance, to provide for the further control of the rentals of premises to which that Ordinance applies and for other incidental matters connected therewith.

[31st December, 1969]

Enacted by the Parliament of Guyana :—

A.D. 1969

1. (1) This Act may be cited as the Rent Restriction (Amendment) Act, 1969, and shall come into operation on 1st January, 1970.

Short title  
and com-  
mencement.

(2) As from the commencement of this Act, the Rent Restriction Ordinance (hereinafter referred to as the Principal Ordinance) may be cited as the Rent Control Ordinance and section 1 of the Principal Ordinance and all other laws wherein the Principal Ordinance is mentioned shall have effect accordingly.

Cap. 186

2. The following long title is hereby substituted for the long title of the Principal Ordinance —

Amendment  
of the long  
title of the  
Principal  
Ordinance.

“AN ORDINANCE to control the rental of certain premises, to restrict the right of recovery of posses-

sion of such premises as are subject to tenancies and for purposes connected therewith.”

Repeal and re-enactment of section 2 of the Principal Ordinance

3. Section 2 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

2(1) For the purposes of this Ordinance, except

where the context otherwise requires —

“agent” means a person who lets premises on behalf of a landlord or collects rent in respect of the premises on behalf of the landlord or is authorised by him to do so;

“agricultural land” does not include the garden of a house or building, or land within the curtilage of a house or building;

“building land” means land let to a tenant for the purpose of the erection thereon by the tenant of a building used, or to be used, as a dwelling or for the public service or for business, trade or professional purposes, or for any combination of such purposes, or land on which the tenant has lawfully erected such a building, but does not include any such land when let with agricultural land;

“district” has the same meaning as in the Summary Jurisdiction (Magistrate’s) Ordinance;

“dwelling-house” means a building or a part of a building separately let, or a room separately let, which is used mainly as a dwelling or place of residence, and includes land occupied therewith under the tenancy but does not include a building, part of a building, or room, when let with agricultural land;

“furniture” includes fittings, electric light, water, appliances for domestic, trade, business or professional purposes, machinery or other articles used in a dwelling-house or a public or commercial building but not forming part thereof;

“landlord” includes —

(a) any person from time to time deriving title under the original landlord; and

(b) in relation to any building land, dwelling-house, public or commercial building, any person other than the tenant who is, or but for this Ordinance would be, entitled to the possession of the building land, dwelling-house, public or commercial building and shall, for the purpose of the enforcement of any provisions of this Ordinance whereby any liability is imposed on a

landlord, be construed to include any agent having charge, control or management of the premises on behalf of the landlord;

“let” includes sub-let;

“legal practitioner” has the same meaning as in Legal Practitioners Ordinance;

Cap. 30.

“let furnished” means let at a rent which includes payment for the use of furniture, and “let unfurnished” shall be construed accordingly;

“magistrate” means the magistrate performing the functions mentioned in subsection (1) of section 5 for the district within which the premises in question are situated;

“maximum rent” means the sum obtained by the addition to the standard rent of any building land, dwelling-house or public or commercial building, of the increases permitted or authorised under section 15;

“Minister” means the Minister assigned responsibility for housing;

“premium” includes any fine or other like sum and any other pecuniary consideration in addition to rent;

“public or commercial building” means a building, or a part of a building separately let, or a room separately let, which is used mainly for the public service or for business, trade or professional purposes, and includes land occupied therewith under the tenancy but does not include a building, part of a building, or room when let with agricultural land;

“schedule” means the schedule to this Ordinance;

“standard rent” means the rent at which a dwelling house, public or commercial building or building land was let on the 3rd September, 1939, or where such premises were not then let, the rent at which they were let before that date, or in the case of their being first let after that date, subject to the provisions of subsection (2) of section 7, the rent at which they were first let:

Provided that in the case of a dwelling-house, public or commercial building or building land let at a progressive rent payable under a tenancy, agreement or lease, the maximum rent payable under that tenancy, agreement or lease, shall be the standard rent;

“tenancy” includes sub-tenancy;

“tenant” includes —

- (a) a sub-tenant and any person deriving title from the original tenant or sub-tenant, as the case may be;
- (b) the widow or widower of a tenant who was residing with him at the time of his death on the premises let, whether as a dwelling house or not;
- (c) where there is no such widow or widower, the reputed spouse residing with the tenant at the time of his death in the circumstances mentioned in paragraph (b) and who was so residing with him for not less than six months immediately prior thereto;
- (d) where there is no such widow, or widower, or reputed spouse, such member of the tenant’s family or household as was residing with the tenant at the time of his death, as may be decided in default of agreement by the magistrate;
- (e) such other person residing with the tenant at the time of his death and who was so residing for not less than six months immediately prior thereto and of whom the tenant was a dependant.

(2) Where in this Ordinance there is a reference to a section or schedule by number only and not in conjunction with the title of an Act or an Ordinance, such reference shall be construed as a reference to the section or schedule of that number contained in this Ordinance.

(3) Where in any section of this Ordinance there is a reference to a subsection or paragraph by number or letter only and not in conjunction with the number of any section of this Ordinance or of another Act or Ordinance, such reference shall be construed as a reference to the subsection or paragraph of that number or letter contained in that section in which the reference appears.”

Amendment  
of section 3  
of the Princi-  
pal Ordinance

4. Section 3 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the deletion of the semicolon and the words appearing after the words “building land” in subsection (1);
- (b) by the repeal of subsection (3) and the renumbering of subsections (4) and (5) as subsections (3) and (4) respectively;
- (c) by the substitution of a colon for the full-stop appearing at the end of subsection (3) and the addition immediately thereafter of the following proviso—

“Provided that the provisions of this Ordinance, other than section 6 and any other section as may be necessary to give effect to that section, shall cease to apply to any such building land, dwelling house, public or commercial building, upon the issue of a certificate

under subsection (24) of section 7 stating the standard rent in respect thereof (exclusive of any sum for the use of furniture supplied by the landlord) to be in excess of the sum of three thousand dollars for any one year or such other prescribed sum."

5. Sections 5 and 6 of the Principal Ordinance are hereby repealed and the following sections substituted therefor —

Repeal and re-enactment of section 5 and 6 of the Principal Ordinance.

"Extension of Magistrate's jurisdiction.

5. (1) The magistrate of a district may, subject to and in accordance with the provisions of this Ordinance and having regard to the provisions of the schedule ascertain and certify the standard rent, and assess, fix, and certify the maximum rent to be paid and received in respect of premises situated therein and to which this Ordinance applies.

(2) The jurisdiction conferred upon a magistrate by the Summary Jurisdiction Ordinances shall be deemed to include the functions mentioned in subsection (1) and subject to and in accordance with the provisions of this Ordinance, the powers, duties and privileges conferred upon a magistrate by those Ordinances shall accordingly apply in relation to the discharge of those functions.

"Application for assessment.

6. (1) The landlord of any premises to which this Ordinance applies shall, pursuant to an application by him to the magistrate in the prescribed form and in accordance with the provisions of this Ordinance, have the standard rent of the premises ascertained and certified, and the maximum rent of the premises assessed, fixed and certified.

(2) A tenant of any premises to which this Ordinance applies may, in the absence of a pending application before the magistrate in respect thereof, for the purposes provided in subsection (1) make a like application to the magistrate".

6. Section 7 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 7 of the Principal Ordinance.

(a) by the repeal of subsection (1) and the substitution thereof of the following subsection —

"Proceedings in application for assessment.

(1) An application under subsection (1) of section 6 shall —

(a) in respect of premises to which this Ordinance applies, which are the subject-matter of a tenancy created before the coming into operation of this subsection, be made —

(i) in the case of premises erected or re-constructed after the 31st December,

1964, within one year of the coming into operation of this subsection; and

- (ii) in any other case, when the tenant thereof is succeeded by another person as tenant or a new agreement of tenancy is entered into in respect thereof, whichever is the earlier; or
- (b) in respect of premises to which this Ordinance applies, other than those mentioned in paragraph (a), be made at the time when the premises become for the first time, after the coming into operation of this subsection, the subject of a new tenancy.”.
- (b) by the substitution of the words “section 6” for the words “subsection (1) of this section” wherever they appear;
- (c) by the substitution of the words “the provisions of the schedule” for the words “all the circumstances of the case” wherever they appear;
- (d) by the repeal of subsection (7) and the substitution therefor of the following subsection —

“(7) Where notice under subsection (4) has been received by the tenant, the magistrate may, notwithstanding that no such notice was received by the landlord or his agent, proceed with the holding of the investigation —

- (a) where acceptance of delivery of the notice under subsection (4) was refused by the landlord or his agent, as the case may be; or
- (b) where the address in Guyana of the landlord and the address in Guyana of the agent (if any) are not known to the tenant and cannot be ascertained by the magistrate; or
- (c) where the landlord resides elsewhere than in Guyana.”;
- (e) by the repeal of subsection (17) and the substitution therefor of the following subsection —

“(17) For the purposes of an application under section 6, the magistrate shall have the right to examine, or make or obtain a copy of, any records of a valuation ascertained for the rating purposes of a local authority in relation to the premises or part thereof, the subject matter of the application, as may be in the custody of such authority or in that of

- any other authority charged by law with the responsibility of ascertaining such valuation.”;
- (f) by the substitution of the words “legal practitioner” for the words “barrister or solicitor of the Supreme Court” appearing in subsection (20);
  - (g) by the substitution of the words “magistrate shall” for the words “Rent Assessor may, if he considers it convenient so to do,” appearing in subsection (23);
  - (h) by the repeal of subsection (24) and the substitution therefor of the following subsection —

“(24) When the magistrate has ascertained the standard rent, or has assessed or fixed the maximum rent, of any premises, he shall —

- (a) record, file and preserve the reasons for his decision;
- (b) cause certificates of the standard rent. or of the maximum rent, as the case may be. one for the landlord and one for every tenant who is a party to the application under section 6, to be completed in the prescribed form;
- (c) sign each such certificate;
- (d) cause to be entered the particulars of each certificate in a register which shall be kept for the purpose by the clerk of the respective district and an extract of an entry thereof shall be issued upon the payment of a fee of fifty cents or such other fee as may be prescribed;
- (e) issue the certificates by causing them to be sent by registered post to the landlord and to each tenant who was a party to the application; and
- (f) together with the certificate, forward to the landlord and to each tenant who was a party to the application a copy of the reasons for decision filed under paragraph (a).”

7. Section 8 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the repeal of subsection (1) and the substitution therefor of the following subsection —

“(1) Where on the hearing of any application under section 6. it appears to the magistrate that

Amendment  
of section 8  
of the Princi-  
pal Ordinance



having regard to the provisions of the schedule the maximum rent should be fixed at an amount exceeding the rent then being paid by a tenant in respect of the premises, or, if the premises are not then being rented, the rent at which it was last let, or in any other case where he thinks it necessary so to do, he shall, after the completion of the evidence, but before arriving at a decision in respect of the standard or maximum rent of the premises, submit the notes of evidence taken by him to the advisory committee of the district (as hereinafter in this section constituted) in which the premises are situate for their consideration.”;

- (b) by the insertion immediately after subsection (3) of the following subsections —

“(4) The Minister may, by notice published in the Gazette —

(a) appoint three fit and proper persons to be an advisory committee in respect of any district;

(b) appoint panels of persons from whom advisory committees may be appointed.

(5) There shall be paid to a person appointed to be a member of an advisory committee such remuneration and allowances as the Minister may, from time to time, determine.”

Amendment of section 9 of the Principal Ordinance “7”. 8. Subsection (2) of section 9 of the Principal Ordinance is hereby amended by the substitution of the figure “6” for the figure

Amendment of section 10 of the Principal Ordinance 9. Subsection (1) of section 10 of the Principal Ordinance is hereby amended by the substitution of a colon for the full stop and by the insertion immediately thereafter of the following proviso —

“Provided that in the determination of an application made pursuant to section 6 for the first time in respect of premises after the coming into operation of that section, the foregoing provisions of this subsection, shall not apply.”

Amendment of section 11 of the Principal Ordinance 10. Section 11 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the deletion of paragraphs (a) and (b) of subsection (2) and the substitution therefor of the following paragraph —

“(a) lodge with the clerk the sum of five dollars together with a written notice of appeal of which fact and time of receipt the clerk shall

immediately record in a book kept for that purpose and accordingly inform the magistrate;”;

- (b) by the relettering of paragraph (c) of subsection (2) as paragraph (b);
- (c) by the repeal of subsection (3) and the substitution therefor of the following subsection —

“(3) Where the appellant has complied with the requirements of paragraph (a) of subsection (2) within the time therein specified, the magistrate shall, within twenty-one days after the written notice of appeal was lodged, cause the clerk to transmit to the Registrar of the High Court —

- (a) one copy of the evidence recorded by the magistrate, duly authenticated by his signature;
- (b) two copies of the certificates, duly authenticated by the signature of the magistrate, issued by him under paragraph (e) of subsection (24) of section 7;
- (c) one copy of the reasons for decision, duly authenticated by the signature of the magistrate filed under paragraph (a) of subsection (24) of section 7;
- (d) the original notice of appeal lodged under paragraph (a) of subsection (2).”

11. Section 12 of the Principal Ordinance is hereby amended by the insertion immediately after subsection (2) of the following subsections —

Amendment  
of section 12  
of the Principal  
Ordinance.

“(3) Where the standard rent of premises to which this Ordinance applies has been determined the landlord shall exhibit and keep exhibited in a prominent place therein and open to view a notice in the prescribed form as to what is the standard rent of such premises or of each room or part thereof as may be the subject matter of a separate letting.

(4) A landlord who fails to comply with the provisions of subsection (3) shall be guilty of an offence and liable on summary conviction to a fine not exceeding two hundred and fifty dollars.”

12. Section 13 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

Repeal and  
re-enactment  
of section 13  
of the Principal  
Ordinance.

“Regulations.

13. (1) The Minister may make regulations generally for giving effect to the provisions of this Ordinance.

nance, and in particular but without prejudice to the generality of the foregoing may make regulations —

- (a) prescribing the manner and the form in which applications may be made to the magistrate under this Ordinance;
- (b) prescribing the form in which notices under subsection (4), and certificates under subsection (24), of section 7 shall be given or issued;
- (c) prescribing the form in which a notice of appeal from the decision of the magistrate shall be given;
- (d) requiring a landlord or tenant, or landlords and tenants generally, or landlords and tenants of any particular district or part thereof, to render such returns in such form and containing such particulars in relation to any premises or matters affecting or directly or indirectly connected with the rental thereof as the Minister thinks fit;
- (e) amending, varying, suspending or revoking any of the provisions of the schedule;
- (f) prescribing anything which is required by this Ordinance to be prescribed.

(2) Any regulation may impose liability to a fine not exceeding two hundred and fifty dollars, or imprisonment for a term not exceeding six months, on summary conviction of the breach of any regulation.”.

Amendment  
of section 14  
of the Princi-  
pal Ordinance

13. (1) Subsection (2) of section 14 of the Principal Ordinance is hereby repealed and the following subsection substituted therefor—

“(2) Where, in respect of any period subsequent to the material date, any tenant has paid, whether before or after the aforesaid date, rent on premises to which this Ordinance applies, or any sum on account of such rent, which exceeded the standard rent by more than the amount permitted under this Ordinance the amount of such excess shall, notwithstanding any agreement to the contrary, be recoverable from the landlord who received the payment, or from his legal personal representative, by the tenant by whom it was paid within three years from the date of payment and the tenant may, without prejudice to any other method of recovery, deduct such excess from any rent payable by him to the landlord :

Provided that nothing in the foregoing provisions of this subsection shall entitle any tenant to recover—

- (a) an amount, arising by reason of a certificate

issued pursuant to an application by him under section 6, for a period earlier than twelve months before the date of the filing of such application;

- (b) in any other case an amount in respect of a period in excess of twelve months."

(2) The amendment effected by subsection (1) of this section shall not affect the rights of a tenant in relation to any sum which is recoverable, in consequence of any proceedings instituted or, under any judgement of a court given, before the commencement of this Act, and such sum shall be recoverable and enforceable to such extent and in like manner as if that subsection had not been enacted.

14. Section 15 of the Principal Ordinance is hereby amended in the following respects —

Amendment  
of section 15  
of the Princi-  
pal Ordinance.

- (a) by the substitution of the words "twelve and one-half" for the word "eight" appearing in paragraph (a) of subsection (1);
- (b) by the substitution of the words "the provisions of the schedule" for the words "all the circumstances of the case" appearing in paragraph (c) of subsection (1);
- (c) by re-numbering subsection (2) as subsection (4); and
- (d) by inserting the following subsections (2) and (3) —

"(2) Where a landlord fails to keep any premises to which this Ordinance applies in good and tenantable repair a tenant who is not in arrears of rent may, after the failure of the landlord to comply with the notice mentioned in subsection (3) and, at his own expense, effect such repairs as may be reasonably necessary to fulfil the obligation of the landlord to keep the premises in good and tenantable repair and may deduct the cost thereof from any rent payable by him to the landlord.

(3) The tenant before effecting any repairs pursuant to subsection (2) shall send by registered post to the landlord at his last known address notice of the nature and estimated cost of the repairs with a request that the repairs be effected within thirty days of the receipt of the notice."

15. Section 16 of the Principal Ordinance is hereby amended in the following respects —

Amendment  
of section 16  
of the Princi-  
pal Ordinance.

- (a) by the repeal of subsection (6) and the substitution thereof of the following subsection —

"(6) Where any order or judgement has been given, but not executed, in respect of premises which were not at the time premises to which this Ordinance

applies but which have, since the making of such order or the giving of such judgement, become such premises and which order or judgement in the opinion of the court would not have been made or given if this section applied to the premises at the time the court may, notwithstanding any law to the contrary, on the application of the tenant, rescind or vary such order or judgement in such manner as the court may think fit for the purpose of giving effect to this section.”; and

- (b) by the insertion immediately after subsection (8) of the following subsection —

“(9) Where in any proceedings instituted under this section the court has to determine the bona fides of the landlord the contrary shall be presumed, unless shown otherwise, if the proceedings were instituted within six months of the date of an application by a tenant for an assessment, or the date of the determination of such application or the determination of an unsuccessful application by the landlord under section 9, being an application between parties to the said proceedings.”.

Amendment  
of section 19  
of the Princi-  
pal Ordinance.

16. Section 19 of the Principal Ordinance is hereby amended by the substitution of a colon for the full-stop appearing at the end thereof and the insertion immediately thereafter of the following proviso —

“Provided that the court shall, in the exercise of its powers under this section, refrain from granting to any tenant, without the consent of the landlord, an extension of any time first granted by the court to the tenant for the payment of any sum due by him as rent for a period in excess of three months, unless the court is satisfied that —

- (a) no rent payable for any period, subsequent to the period in respect of which application for distress is made, is due and remains unpaid at the time of the hearing of the application; and  
(b) having regard to all the circumstances of the case, undue hardship would thereby be occasioned to the tenant.”.

Amendment  
of section 20  
of the Princi-  
pal Ordinance.

17. Section 20 of the Principal Ordinance is hereby amended in the following respects —

- (a) by the repeal of subsection (1) and the substitution therefor of the following subsection —

“(1) A person shall not —

- (a) as a condition of the grant, renewal or continuance of a tenancy of premises to which

this Ordinance applies require the payment of any premium; or

- (b) in connection with such a grant, renewal or continuance, receive any premium in addition to the rent.”;
- (b) by the deletion of the words “or consideration” appearing in subsection (2);
- (c) by the deletion of the words “or the giving of any consideration” appearing in subsection (3); and
- (d) by the deletion of the words “or the value of the consideration” appearing in the said subsection (3).

18. Section 24 of the Principal Ordinance is hereby repealed and the following section substituted therefor —

Repeal and re-enactment of section 24 of the Principal Ordinance.

“24. (1) Any person who contravenes, or fails to comply with, any provisions of this Ordinance and for which no special punishment is provided shall be guilty of an offence against this Ordinance and shall be liable on summary conviction to a fine not exceeding one thousand dollars, or to imprisonment for six months, or to both such fine and imprisonment, or if such person is a corporate body, be liable to a fine not exceeding one thousand five hundred dollars.

(2) Where the failure or omission of a landlord to carry out the requirements of subsection (1) of section 6 is the subject-matter of criminal proceedings the failure or omission shall be presumed, unless the landlord proves otherwise, and if at the hearing of such proceedings the failure or omission persists, the magistrate may direct the clerk to perform such act as may be necessary to fulfil the requirement and any such act by the clerk shall, except for the purpose of those proceedings, have effect as if it were the act of the landlord.

(3) Any act or omission of an agent which constitutes an offence under this Ordinance shall for the purpose of offences under this Ordinance be deemed to be that also of the landlord and he as well as the agent shall be liable to be proceeded against and punished accordingly.”.

19. Section 26 of the Principal Ordinance is hereby amended in the following respects —

Amendment of section 26 of the Principal Ordinance.

- (a) by the deletion of the words “or proceedings before the Rent Assessor as such” appearing in subsection (1);

- (b) by the substitution of a colon for the full stop appearing at the end of subsection (1) and the addition thereto of the following proviso —

“Provided that where an equitable remedy is sought (whether or not in conjunction with any other remedy) such claim or other proceedings may be made or instituted in the High Court.”; and

- (c) by the repeal of subsections (4) and (5) and the substitution therefor of the following subsections —

“(4) Anything contained in any law to the contrary notwithstanding and subject to the provisions of this Ordinance the jurisdiction of a magistrate shall extend to any premises to which this Ordinance applies, irrespective of the nature of the tenancy or the length of the term or the amount of the rent.

(5) Subject to the other provisions of this Ordinance, the law and practice of the magistrate’s court shall, subject to the necessary modifications, apply to any claim or other proceedings (not being proceedings under the Summary Jurisdiction Ordinances) made or instituted under this Ordinance.”.

Amendment  
of section 27  
of the Princi-  
pal Ordinance.

20. Subsection (1) of section 27 is hereby repealed and the following subsection substituted therefor —

“(1) Save as otherwise provided in this Ordinance, an appeal shall lie to the Full Court of the High Court from the decision of a magistrate on any claim or proceedings in respect of any premises to which this Ordinance applies and an appeal shall lie therefrom on any question of law to the Court of Appeal:

Provided that nothing in this Ordinance shall be construed as applying the foregoing provisions of this subsection to any judgement or order of the Full Court, made or given before the coming into operation of this subsection.”.

Amendment  
of the Princi-  
pal Ordinance.

21. The Principal Ordinance is hereby amended in the following respects —

- (a) by the substitution of the word “magistrate” for the words “Rent Assessor” wherever they appear;
- (b) by the deletion of the words “of this section” wherever they appear;
- (c) by the deletion of the heading appearing immediately after section 28 and the repeal of the sections following thereafter, being sections 29, 30, 31 and 33;
- (d) by the numbering of section 32 as section 29, and

- (e) by the addition to the Principal Ordinance of the schedule to this Act.

22. Anything lawfully done in pursuance of the Principal Ordinance prior to its variation by virtue of the foregoing provisions of this Act, and which would continue to have effect but for such variation, shall, unless the contrary intention appears, continue to have effect as if so done in conformity with the said Ordinance as in operation pursuant to such variation. Saving.

### SCHEDULE

S. 2.

#### DETERMINATION OF STANDARD AND MAXIMUM RENT

For the purpose of assessing, fixing and certifying the standard and maximum rent of premises to which this Ordinance applies the following factors shall be considered —

- (a) The annual rental value, if any, as determined for the purposes of rating under the Local Government (Valuation of Property) Ordinance, 1959, or the valuation for Rating Purposes Act, 1969; No. 5 of 1959.  
No. 11 of 1969.
- (b) the area of the premises;
- (c) the cost of erection thereof, including any special constructional methods employed therein;
- (d) the site value of the premises;
- (e) the structural condition (including paint work) of the premises and including consideration of the age thereof;
- (f) the outgoings on the premises including rates and taxes, premium of insurance, cost of maintenance and management;
- (g) planning arrangements including finish;
- (h) the locality of the premises and the nature and extent of the floor space available for the use of the tenant under the letting regard being had to the use (of any) of other accommodation in common with another person or other persons whether or not including the landlord;
- (i) the nature of the letting and the purpose for which the premises are let;
- (j) the amenities provided, which shall be deemed to include such matters as bathroom, lavatory and kitchen accommodation, built-in fittings and the like;
- (k) the current contractual rent;



- (l) any certificate issued in respect of the premises or part thereof;
- (m) such other factors as may be considered relevant.”

*Passed by the National Assembly on the 22nd of December, 1969.*

F. A. NARAIN,  
*Clerk of the National Assembly.*

(Bill No. 32/1969).