

Amendments [jA1]

Clause 3, page 3, line 7, leave out from ‘dwelling-house’ to end of line 14 and insert ‘makes to the landlord in cash—

- 5 (a) any payment in consideration of the grant, renewal or continuance of a private tenancy, or
- (b) any payment in satisfaction (or part satisfaction) of an obligation arising under a private tenancy.

(2) The landlord must provide the tenant with a written receipt for the payment stating—

- 10 (a) the date of payment;
- (b) what the payment was for;
- (c) the amount paid;
- (d) if any amount remains outstanding, that amount;
- 15 (e) if no further amount remains outstanding, that fact.

(2A) Where a tenant pays a single sum consisting of two or more payments—

- (a) the duty in paragraph (2)(c) includes a duty to state how the sum paid is apportioned between each payment, and
- 20 (b) sub-paragraphs (d) and (e) of that paragraph apply in respect of each payment.

(2B) Where, in the case of any payment, it is not possible for the person giving the receipt to state with the certainty the amount that was required to satisfy the obligation in question, sub-paragraphs (d) and (e) of paragraph (2) require the matters mentioned in them to be stated to the best of that person’s knowledge and belief.’

Clause 3, page 3, line 21, leave out ‘If the landlord under a private tenancy fails’ and insert ‘In the event of a failure’

30 Clause 3, page 3, line 26, at end insert—

‘(6) In this Article—

“landlord” includes a former landlord and (in a case falling within paragraph (1)(a)) a prospective landlord;

35 “tenant” includes a former tenant and (in a case falling within paragraph (1)(a)) a prospective tenant.’

Clause 3, page 3, line 29, after ‘Article 5(5)’ insert ‘(a)’

Clause 3, page 3, line 32, after ‘Article 5(5)’ insert ‘(a)’

40

Clause 3, page 3, line 36, after ‘Article 5(5)’ insert ‘(a)’

Clause 3, page 3, line 41, at end insert—

‘(4) In this Article “landlord” has the meaning given by Article 5(6).’

5

Clause 3, page 4, line 4, leave out from ‘40(4))’ to end of line 12 and insert ‘, a payment in cash was made in respect of rent for the tenancy.

(1A) If—

- 10 (a) a person is charged with an offence under Article 5(7) and a qualifying receipt was provided in accordance with Article 5(5), or
- (b) a person is charged with an offence under Article 5ZA(3) and a qualifying receipt was provided at any time before the end of the period of 14 days mentioned in Article 5ZA(3) (including before the fixed penalty notice was given),

15 paragraph (5) applies.

(2) A receipt is a qualifying receipt for the purposes of paragraph (1A) if—

- (a) it complies with Article 5(2)(a), (b) and (c),
- (b) it complies with Article 5(2)(d) and (e) in respect of any payment, other than the rent, that was included in the sum paid, and
- 20 (c) either condition A or condition B is met.’

Clause 3, page 4, line 14, leave out ‘no further amount’ and insert ‘after the cash payment, no further amount in respect of rent’

25 Clause 3, page 4, line 19, leave out ‘an amount’ and insert ‘after the cash payment, an amount in respect of rent’

Clause 3, page 4, line 25, after ‘defence’ insert ‘to the offence under Article 5(5) or (as the case may be) Article 5ZA(3)’

30

Clause 3, page 4, line 25, after ‘landlord’ insert ‘(or former landlord)’