



Landlord and Tenant (War Damage) Act (Northern Ireland) 1941

1941 CHAPTER 9

NOTICES AFFECTING LEASEHOLDS

4 Power to disclaim leases or to retain on altered terms.

- (1) Where the land comprised in a lease is unfit by reason of war damage, the following provisions of this section shall have effect, whether the lease was made before or after the commencement of this Act.
- (2) The tenant may serve on the landlord either—
 - (a) a notice (hereafter in this Act referred to as a “notice of disclaimer”) stating that he elects to disclaim the lease; or
 - (b) a notice (hereafter in this Act referred to as a “notice of retention”) stating that he elects to retain the lease on the terms hereafter specified in this Act.
- (3) The landlord may, if no such notice has been served by the tenant, serve upon the tenant a notice (hereafter in this Act referred to as a “notice to elect”) requiring the tenant to serve on him, within the period allowed under this Act, either a notice of disclaimer or a notice of retention.
- (4) Where a notice to elect is served and the tenant does not comply therewith within the said period, he shall, unless the notice is of no effect under this Part of this Act, be deemed for the purpose of this Act to have served on the landlord at the expiration of the said period a notice of retention.
- (5) Where a notice of disclaimer is served (whether in pursuance of a notice to elect or not) the landlord may, within the period allowed under this Act, serve upon the tenant a notice (hereafter in this Act referred to as a “notice to avoid disclaimer”) requiring the tenant to retain the lease on the terms hereafter specified in this Act.

Changes to legislation:

There are currently no known outstanding effects for the Landlord and Tenant (War Damage) Act (Northern Ireland) 1941, Section 4.