



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

1941 CHAPTER 9

NOTICES OF DISCLAIMER

8 Effect of notice of disclaimer.

- (1) Where a notice of disclaimer is served the following provisions of this section shall have effect, subject to any order of the court under the next following section, at the expiration of the period allowed under this Act within which notice to avoid disclaimer may be served, unless a notice to avoid disclaimer is served within that period or the notice of disclaimer is otherwise of no effect under this Part of this Act.
- (2) As from the date when the notice of disclaimer was served—
 - (a) the lease disclaimed shall be deemed to have been surrendered; and
 - (b) all sub-leases derived out of the tenancy created by the lease disclaimed shall also be deemed to have been surrendered, except a sub-lease—
 - (i) by virtue whereof any person is entitled to the actual occupation of the land comprised in the disclaimed lease or of any part thereof; and
 - (ii) in respect of which no notice of disclaimer has been served; and
 - (c) all interests in the tenancy created by the lease disclaimed or any sub-lease which is deemed to have been surrendered as aforesaid shall be deemed to have been extinguished.
- (3) Any notice of disclaimer, notice of retention or notice to elect served in respect of any sub-lease which is deemed to have been surrendered by virtue of this section shall be of no effect.

Changes to legislation:

There are currently no known outstanding effects for the Landlord and Tenant (War Damage) Act (Northern Ireland) 1941, Section 8.