



Administration of Justice Act 1965

1965 CHAPTER 2

PART II

MISCELLANEOUS AMENDMENTS OF LAW RELATING TO ENGLAND AND WALES

[^{F1}23 Power of county court to extend period for giving possession of land in proceedings for enforcement of right of re-entry or forfeiture.

- (1) Where a lessor is proceeding by action in a county court in England or Wales to enforce against a lessee a right of re-entry or forfeiture in respect of any land for non-payment of rent, and the court by order made in pursuance of section 191(1)(b) of the ^{M1}County Courts Act 1959 orders possession of the land to be given to the lessor at the expiration of a period fixed by the court unless within that period the lessee pays into court all the rent in arrear and the costs of the action, the court may extend that period at any time before possession of the land is recovered in pursuance of the order.
- (2) Where, under the foregoing subsection, a court extends a period at a time when that period has expired and a warrant has been issued for the possession of the land, the court shall suspend the warrant for the period of the extension and, if, before the expiration of the last-mentioned period, the lessee pays into court all the rent in arrear and the costs of the action, shall cancel the warrant.
- (3) The extension under subsection (1) above of a period fixed by a court shall not be treated as relief from which the lessee, if he fails within that period to pay into court all the rent in arrear and the costs of the action, is barred by virtue of section 191(1)(c) of the ^{M2}County Courts Act 1959.
- (4) Where, under subsection (1) above, a court extends a period, any reference in the said section 191(1)(c) (which, as well as barring a lessor from relief as mentioned in the last foregoing subsection, provides that if, within the period specified in the order, the lessee pays into court the rent in arrear and costs he shall continue to hold the land) to the period specified in the order shall be construed as reference to that period as so extended.]

Changes to legislation: There are currently no known outstanding effects for the
Administration of Justice Act 1965, Section 23. (See end of Document for details)

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Textual Amendments

F1 Ss. 20(4)–(7), 23 repealed (E.W.) by County Courts Act 1984 (c. 28, SIF 34), s. 148(3), **Sch. 4**

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Marginal Citations

M1 1959 c. 22.

M2 1959 c. 22.

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