
Changes to legislation: There are currently no known outstanding effects for the Law of Property (Miscellaneous Provisions) Act 1994, Paragraph 12. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Leasehold Reform, Housing and Urban Development Act 1993 (c.28)

- 12 (1) In section 34 of the Leasehold Reform, Housing and Urban Development Act 1993 (conveyance to nominee purchaser), in subsection (9) after second “conveyed” add “, and with the reference to the covenants for title implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 being read as excluding the covenant in section 4(1)(b) of that Act (compliance with terms of lease)”.
- (2) In section 57 of that Act (terms on which new lease is to be granted), for subsection (8) substitute—
- “(8) In granting the new lease the landlord shall not be bound to enter into any covenant for title beyond—
- (a) those implied from the grant, and
 - (b) those implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 in a case where a disposition is expressed to be made with limited title guarantee, but not including (in the case of an underlease) the covenant in section 4(1)(b) of that Act (compliance with terms of lease);
- and in the absence of agreement to the contrary the landlord shall be entitled to be indemnified by the tenant in respect of any costs incurred by him in complying with the covenant implied by virtue of section 2(1)(b) of that Act (covenant for further assurance).
- (8A) A person entering into any covenant required of him as landlord (under subsection (8) or otherwise) shall be entitled to limit his personal liability to breaches of that covenant for which he is responsible.”
- (3) In Schedule 7 to that Act (conveyance to nominee purchaser on enfranchisement), for paragraph 2(2)(b) substitute—
- “(b) to enter into any covenant for title beyond those implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 in a case where a disposition is expressed to be made with limited title guarantee;
- and in the absence of agreement to the contrary the freeholder shall be entitled to be indemnified by the nominee purchaser in respect of any costs incurred by him in complying with the covenant implied by virtue of section 2(1)(b) of that Act (covenant for further assurance).”
- (4) In Schedule 9 to that Act (grant of leases back to former freeholder) after paragraph 9 insert—

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“ Covenants for title

- 9A The lessor shall not be bound to enter into any covenant for title beyond—
- (a) those implied from the grant, and
 - (b) those implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 in a case where a disposition is expressed to be made with limited title guarantee.”

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