



Landlord and Tenant Act 1954

1954 CHAPTER 56

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

51 Extension of Leasehold Property (Repairs) Act, 1938.

- (1) The Leasehold Property (Repairs) Act, 1938 (which restricts the enforcement of repairing covenants in long leases of small houses) shall extend to every tenancy (whether of a house or of other property, and without regard to rateable value) where the following conditions are fulfilled, that is to say,—
 - (a) that the tenancy was granted for a term of years certain of not less than seven years;
 - (b) that three years or more of the term remain unexpired at the date of the service of the notice of dilapidations or, as the case may be, at the date of commencement of the action for damages; and
 - (c) that the property comprised in the tenancy is not an agricultural holding.
- (2) In accordance with the last foregoing subsection the said Act of 1938 shall be amended as follows:—
 - (a) in subsection (1) of section one, for the words " a house of a rateable value of one hundred pounds or less" there shall be substituted the words " all or any of the property comprised in the lease ", and for the word " five " there shall be substituted the word " three " ;
 - (b) in subsection (2) of section one, for the word " five " there shall be substituted the word " three " ;
 - (c) in paragraph (b) of subsection (5) of section one, for the word " house" there shall be substituted the word " premises " and for the words from " relating" to the end of the paragraph there shall be substituted the words " or for giving effect to any order of a court or requirement of any authority under any enactment or any such byelaw or other provision as aforesaid " ;
 - (d) in paragraph (c) of subsection (5) of section one, for the word " house ", where it first occurs, there shall be substituted the words " premises as respects which

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the covenant or agreement is proposed to be enforced ", and for the words " the house " in the second place in which they occur there shall be substituted the words " those premises ";

- (e) in section three, for the words " a house " there shall be substituted the word " premises " ;
 - (f) section four shall be omitted ;
 - (g) in subsection (1) of section seven, in the definition of the expression " lease ", for the words " twenty-one years or more " there shall be substituted the words " seven years or more, not being a lease of an agricultural holding within the meaning of the Agricultural Holdings Act, 1948 ".
- (3) The said Act of 1938 shall apply where there is an interest belonging to Her Majesty in right of the Crown or to a Government department, or held on behalf of Her Majesty for the purposes of a Government department, in like manner as if that interest were an interest not so belonging or held.
- (4) Subsection (2) of section twenty-three of the Landlord and Tenant Act, 1927 (which authorises a tenant to serve documents on the person to whom he has been paying rent) shall apply in relation to any counter-notice to be served under the said Act of 1938.
- (5) This section shall apply to tenancies granted, and to breaches occurring, before or after the commencement of this Act, except that it shall not apply where the notice of dilapidations was served, or the action for damages begun, before the commencement of this Act.
- (6) In this section the expression "notice of dilapidations " means a notice under subsection (1) of section one hundred and forty-six of the Law of Property Act, 1925.

52 Amendment of Law of Property Act, 1925, s. 84.

- (1) Subsection (12) of section eighty-four of the Law of Property Act, 1925 (which provides that the procedure under that section for discharging or modifying covenants affecting freeholds shall extend to leaseholds held under a term of more than seventy years of which at least fifty years have expired) shall have effect as if for the word " seventy " there were substituted the word " forty " and for the word " fifty " there were substituted the word " twenty-five ".
- (2) This section shall have effect whether the term in question was created before or after the commencement of this Act.

53 Jurisdiction of county court where lessor refuses licence or consent.

- (1) Where a landlord withholds his licence or consent—
- (a) to an assignment of the tenancy or a subletting, charging or parting with the possession of the demised property or any part thereof, or
 - (b) to the making of an improvement on the demised property or any part thereof, or
 - (c) to a change in the use of the demised property or any part thereof, or to the making of a specified use of that property,

and the High Court has jurisdiction to make a declaration that the licence or consent was unreasonably withheld, then without prejudice to the jurisdiction of the High Court the county court shall have the like jurisdiction whatever the value of the

demised property or the rent payable under the tenancy and notwithstanding that the tenant does not seek any relief other than the declaration.

- (2) Where on the making of an application to the county court for such a declaration the court is satisfied that the licence or consent was unreasonably withheld, the court shall make a declaration accordingly.
- (3) The foregoing provisions of this section shall have effect whether the tenancy in question was created before or after the commencement of this Act and whether the refusal of the licence or consent occurred before or after the commencement of this Act.
- (4) Nothing in this section shall be construed as conferring jurisdiction on the county court to grant any relief other than such a declaration as aforesaid.

54 Determination of tenancies of derelict land.

Where a landlord, having power to serve a notice to quit, on an application to the county court satisfies the court—

- (a) that he has taken all reasonable steps to communicate with the person last known to him to be the tenant, and has failed to do so.
- (b) that during the period of six months ending with the date of the application neither the tenant nor any person claiming under him has been in occupation of the property comprised in the tenancy or any part thereof, and
- (c) that during the said period either no rent was payable by the tenant or the rent payable has not been paid,

the court may if it thinks fit by order determine the tenancy as from the date of the order.

55 Compensation for possession obtained by misrepresentation.

- (1) Where under Part I of this Act an order is made for possession of the property comprised in a tenancy, or under Part II of this Act the court refuses an order for the grant of a new tenancy, and it is subsequently made to appear to the court that the order was obtained, or the court induced to refuse the grant, by misrepresentation or the concealment of material facts, the court may order the landlord to pay to the tenant such sum as appears sufficient as compensation for damage or loss sustained by the tenant as the result of the order or refusal.
- (2) In this section the expression " the landlord " means the person applying for possession or opposing an application for the grant of a new tenancy, and the expression " the tenant " means the person against whom the order for possession was made or to whom the grant of a new tenancy was refused.

56 Application to Crown.

- (1) Subject to the provisions of this and the four next following sections, Part II of this Act shall apply where there is an interest belonging to Her Majesty in right of the Crown or the Duchy of Lancaster or belonging to the Duchy of Cornwall, or belonging to a Government department or held on behalf of Her Majesty for the purposes of a Government department, in like manner as if that interest were an interest not so belonging or held.

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- (2) The provisions of the Eighth Schedule to this Act shall have effect as respects the application of Part II of this Act to cases where the interest of the landlord belongs to Her Majesty in right of the Crown or the Duchy of Lancaster or to the Duchy of Cornwall.
- (3) Where a tenancy is held by or on behalf of a Government department and the property comprised therein is or includes premises occupied for any purposes of a Government department, the tenancy shall be one to which Part II of this Act applies; and for the purposes of any provision of the said Part II or the Ninth Schedule to this Act which is applicable only if either or both of the following conditions are satisfied, that is to say—
 - (a) that any premises have during any period been occupied for the purposes of the tenant's business;
 - (b) that on any change of occupier of any premises the new occupier succeeded to the business of the former occupier,the said conditions shall be deemed to be satisfied respectively, in relation to such a tenancy, if during that period or, as the case may be, immediately before and immediately after the change, the premises were occupied for the purposes of a Government department.
- (4) The last foregoing subsection shall apply in relation to any premises provided by a Government department without any rent being payable to the department therefor as if the premises were occupied for the purposes of a Government department.
- (5) The provisions of Parts III and IV of this Act amending any other enactment which binds the Crown or applies to land belonging to Her Majesty in right of the Crown or the Duchy of Lancaster, or land belonging to the Duchy of Cornwall, or to land belonging to any Government department, shall bind the Crown or apply to such land.
- (6) Sections fifty-three and fifty-four of this Act shall apply where the interest of the landlord, or any other interest in the land in question, belongs to Her Majesty in right of the Crown or the Duchy of Lancaster or to the Duchy of Cornwall, or belongs to a Government department or is held on behalf of Her Majesty for the purposes of a Government department, in like manner as if that interest were an interest not so belonging or held.

57 Modification on grounds of public interest of rights under Part II.

- (1) Where the interest of the landlord or any superior landlord in the property comprised in any tenancy belongs to or is held for the purposes of a Government department or is held by a local authority, statutory undertakers or a development corporation, the Minister or Board in charge of any Government department may certify that it is requisite for the purposes of the first-mentioned department, or, as the case may be, of the authority, undertakers or corporation, that the use or occupation of the property or a part thereof shall be changed by a specified date.
- (2) A certificate under the last foregoing subsection shall not be given unless the owner of the interest belonging or held as mentioned in the last foregoing subsection has given to the tenant a notice stating—
 - (a) that the question of the giving of such a certificate is under consideration by the Minister or Board specified in the notice, and

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- (b) that if within twenty-one days of the giving of the notice the tenant makes to that Minister or Board representations in writing with respect to that question, they will be considered before the question is determined,
and if the tenant makes any such representations within the said twenty-one days the Minister or Board shall consider them before determining whether to give the certificate.
- (3) Where a certificate has been given under subsection (1) of this section in relation to any tenancy, then,—
- (a) if a notice given under subsection (1) of section twenty-five of this Act specifies as the date of termination a date not earlier than the date specified in the certificate and contains a copy of the certificate subsections (5) and (6) of that section shall not apply to the notice and no application for a new tenancy shall be made by the tenant under section twenty-four of this Act;
- (b) if such a notice specifies an earlier date as the date of termination and contains a copy of the certificate, then if the court makes an order under Part II of this Act for the grant of a new tenancy the new tenancy shall be for a term expiring not later than the date specified in the certificate and shall not be a tenancy to which Part II of this Act applies.
- (4) Where a tenant makes a request for a new tenancy under section twenty-six of this Act, and the interest of the landlord or any superior landlord in the property comprised in the current tenancy belongs or is held as mentioned in subsection (1) of this section, the following provisions shall have effect:—
- (a) if a certificate has been given under the said subsection (1) in relation to the current tenancy, and within two months after the making of the request (he landlord gives notice to the tenant that the certificate has been given and the notice contains a copy of the certificate, then,—
- (i) if the date specified in the certificate is not later than that specified in the tenant's request for a new tenancy, the tenant shall not make an application under section twenty-four of this Act for the grant of a new tenancy ;
- (ii) if, in any other case, the court makes an order under Part II of this Act for the grant of a new tenancy the new tenancy shall be for a term expiring not later than the date specified in the certificate and shall not be a tenancy to which Part II of this Act applies;
- (b) if no such certificate has been given but notice under subsection (2) of this section has been given before the making of the request or within two months thereafter, the request shall not have effect, without prejudice however to the making of a new request when the Minister or Board has determined whether to give a certificate.
- (5) Where application is made to the court under Part II of this Act for the grant of a new tenancy and the landlord's interest in the property comprised in the tenancy belongs or is held as mentioned in subsection (1) of this section, the Minister or Board in charge of any Government department may certify that it is necessary in the public interest that if the landlord makes an application in that behalf the court shall determine as a term) of the new tenancy that it shall be terminable by six months' notice to quit given by the landlord.

Subsection (2) of this section shall apply in relation to a certificate under this subsection, and if notice under the said subsection (2) has been given to the tenant—

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- (a) the court shall not determine the application for the grant of a new tenancy until the Minister or Board has determined whether to give a certificate,
 - (b) if a certificate is given, the court shall on the application of the landlord determine as a term of the new tenancy that it shall be terminable as aforesaid, and section twenty-five of this Act shall apply accordingly.
- (6) The foregoing provisions of this section shall apply to an interest held by a Board of Governors, Regional Hospital Board or Hospital Management Committee constituted under the National Health Service Act, 1946, as they apply to an interest held by a local authority but with the substitution, for the reference to the purposes of the authority, of a reference to the purposes of that Act.
- (7) Where the interest of the landlord or any superior landlord in the property comprised in any tenancy belongs to the National Trust the Minister of Works may certify that it is requisite, for the purpose of securing that the property will as from a specified date be used or occupied in a manner better suited to the nature thereof, that the use or occupation of the property should be changed; and subsections (2) to (4) of this section shall apply in relation to certificates under this subsection, and to cases where the interest of the landlord or any superior landlord belongs to the National Trust, as those subsections apply in relation to certificates under subsection (1) of this section and to cases where the interest of the landlord or any superior landlord belongs or is held as mentioned in that subsection.
- (8) In this and the next following section the expression " Government department " does not include the Commissioners of Crown Lands and the expression " landlord " has the same meaning as in Part II of this Act; and in the last foregoing subsection the expression " National Trust " means the National Trust for Places of Historic Interest or Natural Beauty.

58 Termination on special grounds of tenancies to which Part II applies.

- (1) Where the landlord's interest in the property comprised in any tenancy belongs to or is held for the purposes of a Government department, and the Minister or Board in charge of any Government department certifies that for reasons of national security it is necessary that the use or occupation of the property should be discontinued or changed, then—
- (a) if the landlord gives a notice under subsection (1) of section twenty-five of this Act containing a copy of the certificate, subsections (5) and (6) of that section shall not apply to the notice and no application for a new tenancy shall be made by the tenant under section twenty-four of this Act;
 - (b) if (whether before or after the giving of the certificate) the tenant makes a request for a new tenancy under section twenty-six of this Act, and within two months after the making of the request the landlord gives notice to the tenant that the certificate has been given and the notice contains a copy of the certificate,—
 - (i) the tenant shall not make an application under section twenty-four of this Act for the grant of a new tenancy, and
 - (ii) if the notice specifies as the date on which the tenancy is to terminate a date earlier than that specified in the tenant's request as the date on which the new tenancy is to begin but neither earlier than six months from the giving of the notice nor earlier than the earliest date at which apart from this Act the tenancy would come to an end or could be

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brought to an end, the tenancy shall terminate on the date specified in the notice instead of that specified in the request.

- (2) Where the landlord's interest in the property comprised in any tenancy belongs to or is held for the purposes of a Government department, nothing in this Act shall invalidate an agreement to the effect—
 - (a) that on the giving of such a certificate as is mentioned in the last foregoing subsection the tenancy may be terminated by notice to quit given by the landlord of such length as may be specified in the agreement, if the notice contains a copy of the certificate ; and
 - (b) that after the giving of such a notice containing such a copy the tenancy shall not be one to which Part II of this Act applies.
- (3) Where the landlord's interest in the property comprised in any tenancy is held by statutory undertakers, nothing in this Act shall invalidate an agreement to the effect—
 - (a) that where the Minister or Board in charge of a Government department certifies that possession of the property comprised in the tenancy or a part thereof is urgently required for carrying out repairs (whether on that property or elsewhere) which are needed for the proper operation of the landlord's undertaking, the tenancy may be terminated by notice to quit given by the landlord of such length as may be specified in the agreement, if the notice contains a copy of the certificate ; and
 - (b) that after the giving of such a notice containing such a copy, the tenancy shall not be one to which Part II of this Act applies.
- (4) Where the court makes an order under Part II of this Act for the grant of a new tenancy and the Minister or Board in charge of any Government department certifies that the public interest requires the tenancy to be subject to such a term as is mentioned in paragraph (a) or (b) of this subsection, as the case may be, then—
 - (a) if the landlord's interest in the property comprised in the tenancy belongs to or is held for the purposes of a Government department, the court shall on the application of the landlord determine as a term of the new tenancy that such an agreement as is mentioned in subsection (2) of this section and specifying such length of notice as is mentioned in the certificate shall be embodied in the new tenancy;
 - (b) if the landlord's interest in that property is held by statutory undertakers, the court shall on the application of the landlord determine as a term of the new tenancy that such an agreement as is mentioned in subsection (3) of this section and specifying such length of notice as is mentioned in the certificate shall be embodied in the new tenancy.

59 Compensation for exercise of powers under ss. 57 and 58.

- (1) Where by virtue of any certificate given for the purposes of either of the two last foregoing sections the tenant is precluded from obtaining an order for the grant of a new tenancy, or of a new tenancy for a term expiring later than a specified date, the tenant shall be entitled on quitting the premises to recover from the owner of the interest by virtue of which the certificate was given an amount by way of compensation, and subsections (2), (3) and (5) to (7) of section thirty-seven of this Act shall with the necessary modifications apply for the purposes of ascertaining the amount.

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- (2) Subsections (2) and (3) of section thirty-eight of this Act shall apply to compensation under this section as they apply to compensation under section thirty-seven of this Act.

60 Special provisions as to premises provided under Distribution of Industry Acts, 1945 and 1950, etc..

- (1) Where the property comprised in a tenancy consists of premises provided by the Board of Trade under the Distribution of Industry Acts, 1945 and 1950, or provided by a trading or industrial estate company as defined in the Distribution of Industry Act, 1945, and the Board of Trade certify that it is necessary or expedient for achieving the objects of the said Acts that the use or occupation of the property should be changed, paragraphs (a) and (b) of subsection (1) of section fifty-eight of this Act shall apply as they apply where such a certificate is given as is mentioned in that subsection.
- (2) Where the court makes an order under Part II of this Act for the grant of a new tenancy of premises provided as aforesaid, and the Board of Trade certify that it is necessary or expedient as aforesaid that the tenancy should be subject to a term, specified in the certificate, prohibiting or restricting the tenant from assigning the tenancy or sub-letting, charging or parting with possession of the premises or any part thereof or changing the use of the premises or any part thereof, the court shall determine that the terms of the tenancy shall include the terms specified in the certificate.

61 Modification of Parts I and II in relation to tenancies of ecclesiastical property.

- (1) Where, as respects a tenancy to which section one or Part II of this Act applies, the landlord or a superior landlord is the incumbent of a benefice—
- (a) the consent of the Church Commissioners but of no other person shall be required to any such agreement as is mentioned in Part I or Part II of this Act entered into by the incumbent, and to anything done by the incumbent in pursuance of any such agreement or of any of the provisions of the said Part I or the said Part II, or to the granting by him of any tenancy in pursuance of a tenant's request made under the said Part II;
 - (b) any payment required for the carrying out of initial repairs under the said Part I and any payment of compensation under section thirty-seven of this Act may, if the Church Commissioners think fit, be made by them, on behalf of the incumbent, out of any moneys in their hands, and any payment for accrued tenant's repairs under the said Part I shall be made to the Commissioners instead of to the incumbent and shall be applied by them in repayment of any sum paid by them under this paragraph for the carrying out of initial repairs;
 - (c) the Church Commissioners shall be entitled to appear and be heard in any proceedings under the said Part I or the said Part II to which the incumbent is a party, and any order made in any such proceedings against the incumbent shall be binding on the Commissioners so far as it relates to the grant or the terms of any tenancy or any of the matters mentioned in section seven or section eight of this Act;
 - (d) for the purposes of the said Part I and the said Part II the incumbent's interest shall be treated as vesting in the Church Commissioners during any vacancy of the benefice;
 - (e) the revenues and possessions of the benefice shall stand charged with the repayment of any sum expended by the Church Commissioners in pursuance of paragraph (b) or paragraph (d) of this subsection.

- (2) This section shall apply to benefices the patronage of which belongings to Her Majesty in right of the Crown or the Duchy of Lancaster or to the Duchy of Cornwall as it applies to other benefices.

62 Exercise of powers of Board of Trade.

- (1) Anything required or authorised by or under this Act to be done by, to or before the Board of Trade may be done by, to or before the President of the Board, any Minister of State with duties concerning the affairs of the Board, any secretary, under-secretary or assistant secretary of the Board, or any person authorised in that behalf by the President.
- (2) In this section the expression " Minister of State " means such a Minister of the Crown as is referred to in section two of the Re-election of Ministers Act, 1919, as explained by the House of Commons Disqualification (Declaration of Law) Act, 1935.

63 Jurisdiction of court for purposes of Parts I and II and of Part I of Landlord and Tenant Act, 1927.

- (1) Any jurisdiction conferred on the court by any provision of Part I of this Act shall be exercised by the county court.
- (2) Any jurisdiction conferred on the court by any provision of Part II of this Act or conferred on the tribunal by Part I of the Landlord and Tenant Act, 1927, shall, subject to the provisions of this section, be exercised.—
- (a) where the rateable value of the holding does not exceed five hundred pounds, by the county court;
- (b) where it exceeds five hundred pounds, by the High Court.
- (3) Any jurisdiction exercisable under the last foregoing subsection may by agreement in writing between the parties be transferred from the county court to the High Court or from the High Court to a county court specified in the agreement.
- (4) The following provisions shall have effect as respects transfer of proceedings from or to the High Court or the county court, that is to say—
- (a) where an application is made to the one but by virtue of subsection (2) of this section cannot be entertained except by the other, the application shall not be treated as improperly made but any proceedings thereon shall be transferred to the other court;
- (b) any proceedings under the provisions of Part II of this Act or of Part I of the Landlord and Tenant Act, 1927, which are pending before one of those courts may by order of that court made on the application of any person interested be transferred to the other court, if it appears to the court making the order that it is desirable that the proceedings and any proceedings before the other court should both be entertained by the other court.
- (5) In any proceedings where in accordance with the foregoing provisions of this section the county court exercises jurisdiction the powers of the judge of summoning one or more assessors under subsection (1) of section eighty-eight of the County Courts Act, 1934, may be exercised notwithstanding that no application is made in that behalf by any party to the proceedings.

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- (6) Where in any such proceedings an assessor is summoned by a judge under the said subsection (1).—
- (a) he may, if so directed by the judge, inspect the land to which the proceedings relate without the judge and report to the judge in writing thereon ;
 - (b) the judge may on consideration of the report and any observations of the parties thereon give such judgment or make such order in the proceedings as may be just;
 - (c) the remuneration of the assessor shall be at such rate as may be determined by the Lord Chancellor with the approval of the Treasury and shall be defrayed out of moneys provided by Parliament.
- (7) In this section the expression " the holding "—
- (a) in relation to proceedings under Part II of this Act, has the meaning assigned to it by subsection (3) of section twenty-three of this Act.
 - (b) in relation to proceedings under Part I of the Landlord and Tenant Act, 1927, has the same meaning as in the said Part I.
- (8) Subsections (5) to (7) of section thirty-seven of this Act shall apply for determining the rateable value of the holding for the purposes of this section as they apply for the purposes of subsection (2) of the said section thirty-seven, but with the substitution in paragraph (a) of the said subsection (5) of a reference to the time at which application is made to the court for the reference to the date mentioned in that subsection.
- (9) Nothing in this section shall prejudice the operation of section one hundred and eleven of the County Courts Act, 1934 (which relates to the removal into the High Court of Proceedings commenced in a county court).
- (10) In accordance with the foregoing provisions of this section, for section twenty-one of the Landlord and Tenant Act, 1927, there shall be substituted the following section—

“21 The tribunal.

The tribunal for the purposes of Part I of this Act shall be the court exercising jurisdiction in accordance with the provisions of section sixty-three of the Landlord and Tenant Act, 1954.”

64 Interim continuation of tenancies pending determination by court.

- (1) In any case where—
- (a) a notice to terminate a tenancy has been given under Part I or Part II of this Act or a request for a new tenancy has been made under Part II thereof, and
 - (b) an application to the court has been made under the said Part I or the said Part II, as the case may be, and
 - (c) apart from this section the effect of the notice or request would be to terminate the tenancy before the expiration of the period of three months beginning with the date on which the application is finally disposed of,
- the effect of the notice or request shall be to terminate the tenancy at the expiration of the said period of three months and not at any other time.
- (2) The reference in paragraph (c) of subsection (1) of this section to the date on which an application is finally disposed of shall be construed as a reference to the earliest date by which the proceedings on the application (including any proceedings on or in

consequence of an appeal) have been determined and any time for appealing or further appealing has expired, except that if the application is withdrawn or any appeal is abandoned the reference shall be construed as a reference to the date of the withdrawal or abandonment.

65 Provisions as to reversions.

- (1) Where by virtue of any provision of this Act a tenancy (in this subsection referred to as "the inferior tenancy") is continued for a period such as to extend to or beyond the end of the term of a superior tenancy, the superior tenancy shall, for the purposes of this Act and of any other enactment and of any rule of law, be deemed so long as it subsists to be an interest in reversion expectant upon the termination of the inferior tenancy and, if there is no intermediate tenancy, to be the interest in reversion immediately expectant upon the termination thereof.
- (2) In the case of a tenancy continuing by virtue of any provision of this Act after the coming to an end of the interest in reversion immediately expectant upon the termination thereof, subsection (1) of section one hundred and thirty-nine of the Law of Property Act, 1925 (which relates to the effect of the extinguishment of a reversion) shall apply as if references in the said subsection (1) to the surrender or merger of the reversion included references to the coming to an end of the reversion for any reason other than surrender or merger.
- (3) Where by virtue of any provision of this Act a tenancy (in this subsection referred to as "the continuing tenancy") is continued beyond the beginning of a reversionary tenancy which was granted (whether before or after the commencement of this Act) so as to begin on or after the date on which apart from this Act the continuing tenancy would have come to an end, the reversionary tenancy shall have effect as if it had been granted subject to the continuing tenancy.
- (4) Where by virtue of any provision of this Act a tenancy (in this subsection referred to as "the new tenancy") is granted for a period beginning on the same date as a reversionary tenancy or for a period such as to extend beyond the beginning of the term of a reversionary tenancy, whether the reversionary tenancy in question was granted before or after the commencement of this Act, the reversionary tenancy shall have effect as if it had been granted subject to the new tenancy.

66 Provisions as to notices.

- (1) Any form of notice required by this Act to be prescribed shall be prescribed by regulations made by the Lord Chancellor by statutory instrument.
- (2) Where the form of a notice to be served on persons of any description is to be prescribed for any of the purposes of this Act, the form to be prescribed shall include such an explanation of the relevant provisions of this Act as appears to the Lord Chancellor requisite for informing persons of that description of their rights and obligations under those provisions.
- (3) Different forms of notice may be prescribed for the purposes of the operation of any provision of this Act in relation to different cases.
- (4) Section twenty-three of the Landlord and Tenant Act, 1927 (which relates to the service of notices) shall apply for the purposes of this Act.

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- (5) Any statutory instrument under this section shall be subject to annulment in pursuance of a resolution of either House of Parliament.

67 Provisions as to mortgagees in possession.

Anything authorised or required by the provisions -of this Act, other than subsection (2) or (3) of section forty, to be done at any time by, to or with the landlord, or a landlord of a specified description, shall, if at that time the interest of the landlord in question is subject to a mortgage and the mortgagee is in possession or a receiver appointed by the mortgagee or by the court is in receipt of the rents and profits, be deemed to be authorised or required to be done by, to or with the mortgagee instead of that landlord.

68 Repeal of enactments and transitional provisions.

- (1) The enactments specified in Part II of the Seventh Schedule to this Act are hereby repealed to the extent specified in the third column of that Part of that Schedule.
- (2) The transitional provisions set out in the Ninth Schedule to this Act shall have effect.

69 Interpretation.

- (1) In this Act the following expressions have the meanings hereby assigned to them respectively, that is to say:—
- " agricultural holding " has the same meaning as in the Agricultural Holdings Act, 1948 ;
 - " development corporation " has the same meaning as in the New Towns Act, 1946;
 - " local authority " has the same meaning as in the Town and Country Planning Act, 1947 ;
 - " mortgage " includes a charge or lien and " mortgagor " and " mortgagee " shall be construed accordingly ;
 - " notice to quit " means a notice to terminate a tenancy (whether a periodical tenancy or a tenancy for a term of years certain) given in accordance with the provisions (whether express or implied) of that tenancy ;
 - " repairs " includes any work of maintenance, decoration or restoration, and references to repairing, to keeping or yielding up in repair and to state of repair shall be construed accordingly;
 - " statutory undertakers " has the same meaning as in the Town and Country Planning Act, 1947, except that it includes the National Coal Board;
 - " tenancy " means a tenancy created either immediately or derivatively out of the freehold, whether by a lease or underlease, by an agreement for a lease or underlease or by a tenancy agreement or in pursuance of any enactment (including this Act), but does not include a mortgage term or any interest arising in favour of a mortgagor by his attorning tenant to his mortgagee, and references to the granting of a tenancy and to demised property shall be construed accordingly ;
 - " terms ", in relation to a tenancy, includes conditions.

Status: This is the original version (as it was originally enacted).

- (2) References in this Act to an agreement between the landlord and the tenant (except in section seventeen and subsections (1) and (2) of section thirty-eight thereof) shall be construed as references to an agreement in writing between them.
- (3) References in this Act to an action for any relief shall be construed as including references to a claim for that relief by way of counterclaim in any proceedings.

70 Short title and citation, commencement and extent.

- (1) This Act may be cited as the Landlord and Tenant-Act, 1954, and the Landlord and Tenant Act, 1927, and this Act may be cited together as the Landlord and Tenant Acts, 1927 and 1954.
- (2) This Act shall come into operation on the first day of October, nineteen hundred and fifty-four.
- (3) This Act shall not extend to Scotland or to Northern Ireland.