



Landlord and Tenant (War Damage) Act 1939

1939 CHAPTER 72

PART III

MISCELLANEOUS AND GENERAL

24 Interpretation

In this Act unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them, that is to say,—

" agricultural lease " means a lease the land comprised wherein consists wholly or mainly of agricultural land or agricultural buildings within the meaning of the Rating and Valuation (Apportionment) Act, 1928;

" annual value ", in relation to land, means the rent at which the land might reasonably be expected to let from year to year, if the tenant undertook to pay all usual tenants' rates and taxes and the landlord undertook to bear the cost of repairs and insurance and the other expenses necessary to command that rent;

" ground lease " means a lease at a rent (or, where the rent varies, at a maximum rent) which does not substantially exceed the rent which a tenant might reasonably have been expected, at the commencement of the term created by the lease, to pay for the land comprised in the lease, excluding any buildings, for a term equal to the term created by the lease;

" interest, " in relation to land, means any estate or interest in the land, whether legal or equitable;

" land " means land of any tenure, and includes any buildings or works situated on, over or under land;

" landlord " in relation to a lease means the person who under the lease is, as between himself and the tenant, for the time being entitled to the rents and profits of the demised premises payable under the lease;

" lease " and " mining lease " have the same meaning as in the Landlord and Tenant Act, 1927;

Status: This is the original version (as it was originally enacted).

" mortgage " includes charge and debenture;

" multiple lease " means a lease comprising buildings which are used or adapted for use as two or more separate tenements;

" tenant," in relation to a lease, means the person for the time being entitled to the term created by the lease;

" unfit " means—

- (a) in relation to buildings or works, or to land of which three-quarters or more of the value is attributable to buildings or works, unfit for the purpose for which those buildings or works were used or adapted for use immediately before the occurrence of the war damage in question, having regard to the class of tenant likely to occupy similar buildings or works which are not unfit for that purpose, to the standard of accommodation available at the material time, and to all other circumstances ; and
- (b) in relation to other land, unfit for any purpose for which the tenant can be reasonably expected to use the land, having regard to the terms of the lease under which it is held;

and the expression " fit" shall be construed accordingly;

" war damage " means damage caused by, or in repelling, enemy action, or by measures taken to avoid the spreading of the consequences of damage caused by, or in repelling, enemy action.