

SCHEDULE 5

CONSEQUENTIAL AMENDMENTS

Landlord and Tenant Act 1954

1. The Act shall be amended as follows.
2. After section 14 insert—

“Compensation for possession obtained by misrepresentation

14A. Where an order is made for possession of the property comprised in a tenancy to which section 1 of this Act applies and it is subsequently made to appear to the court that the order was obtained by misrepresentation or the concealment of material facts, the court may order the landlord to pay to the tenant such a sum as appears sufficient as compensation for damage or loss sustained by the tenant as the result of the order.”.
3. In section 26(1), for the words “tenancy under which he holds for the time being (hereinafter referred to as “the current tenancy”)” substitute “current tenancy”.
4. In section 38(2) and (3) for the words “the last foregoing section” substitute the words “section 37 of this Act”.
5. In section 41A(6) for the words from “section 29(1)” to “jointly” substitute “section 29 of this Act for the grant of a new tenancy it may order the grant to be made to the business tenants or to them jointly”.
6. In section 46—
 - (a) for the definition of “current tenancy” substitute—

““current tenancy” means the tenancy under which the tenant holds for the time being;” and
 - (b) after the definition of “the holding” insert—

““interim rent” has the meaning given by section 24A(1) of this Act;”.
7. In sections 57(3)(a) and 58(1)(a)—

for the words “subsection (5) and” substitute the word “subsection”; and

after the word “under”, in the second place where it occurs, insert the words “subsection (1) of”.
8. In section 59(1), after “(3)” insert the words “to (3B)”.
9. In section 64(1)(b), for the words “the said part II” substitute the words “under section 24(1) or 29(2) of this Act”.