



Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971

1971 CHAPTER 7

8^{FI} General right to apportionment of rent.

- (1) Where a person who is entitled to acquire under this Act the fee simple in land held by him under a lease has served a notice under section 2 of his intention to acquire that fee simple, every lessee shall be entitled to have the rent payable by him in respect of the land and any other land held under the same lease apportioned under this Act between the land the fee simple in which is to be acquired and the other land.
- (2) Where land demised by a lease is held by more than one person each of whom is a person to whom section 1 applies and the rent reserved by the lease is being paid to the lessor by one only of the persons, that person shall be entitled to have the rent apportioned between the part of the land held by him and the part of the land held by each such other person who is liable for the payment of part of the rent to the person so entitled.
- (3) Where a rent reserved by a lease is apportioned under this Act between different parts of the land demised by the lease—
 - (a) any such part shall be subject to the payment to the lessor only of the portion of the rent apportioned in respect thereof and shall not be subject to the payment to any other person of any portion of the rent; and
 - (b) any such part shall be subject only to the performance and observance of the covenants and conditions contained in the lease in so far as they are applicable to that part and not otherwise, in the same manner as if that part only were demised by the lease subject to the apportioned rent and subject to the performance and observance of the covenants and conditions aforesaid.
- (4) Where a rent reserved by a lease is apportioned under this Act—
 - (a) a fine, or payment in the nature of a fine, shall not be charged or payable for or in respect of the apportionment;
 - (b) the total of the rents payable as a result of the apportionment shall not exceed the amount of the rent reserved by the lease together with the estimated

Changes to legislation: *There are currently no known outstanding effects for the Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971, Section 8. (See end of Document for details)*

additional cost, if any, attributable to the apportionment, of collecting the apportioned rents;

- (c) the estimated additional cost, if any, attributable to the apportionment, of collecting the apportioned rents shall be determined at the time of the apportionment and shall be included in the apportioned rent payable by the person by whom the notice under section 9 relating to the lease was served.

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| F1 functions transf. 1982 NI 6 |
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Changes to legislation:

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