



2001 CHAPTER 10

Application of this Act where landlord has right of entry to carry out repairs

2.—(1) Where premises are let under a tenancy which expressly or impliedly gives the landlord the right to enter the premises to carry out any description of maintenance or repair of the premises, the landlord shall be treated for the purposes of this Act (but for no other purposes) as if he were under an obligation to the tenant for that description of maintenance or repair of the premises.

(2) Subsection (1) applies—

- (a) as from the time when the landlord first is, or by notice or otherwise can put himself, in a position to exercise the right mentioned in that subsection; and
- (b) so long as he is or can put himself in that position.

(3) The landlord shall not owe the tenant any duty of care by virtue of this section in respect of any defect in the state of the premises arising from, or continuing because of, a failure to carry out an obligation expressly imposed on the tenant by the tenancy.