



Irish Land Act 1903

1903 CHAPTER 37

PART I

LAND PURCHASE

Purchase and Resale of Estates

15 Sub-tenancies and subdivided holdings

- (1) In the case of the sale of an estate the Land Commission may, if they think fit, declare that any person who, as a subtenant, is in the exclusive occupation of a parcel of land comprised in the estate shall be deemed the tenant of that parcel, and that the parcel shall be deemed a holding.
- (2) The Land Commission shall in such case redeem the interests (in this Part of this Act referred to as "intervening interests" intervening between the owner of the estate and the person in such exclusive occupation as aforesaid, at a price which, in default of agreement between the owner of the estate and the owner of the intervening interest within the prescribed time, shall be fixed by the Land Commission, and the redemption money shall be paid out of the purchase money of the estate, and be dealt with in like manner as if it were the redemption money of a superior interest, or in such other manner as appears to the Commission equitable: Provided that if the Land Commission are of opinion that any intervening interest is of no appreciable value, they shall by order declare that interest to be extinguished.
- (3) The foregoing provisions of this section shall not apply where any intervening interest is an interest sufficient to constitute the owner thereof a person having power to sell under the Land Purchase Acts to tenants.
- (4) Where a holding comprised in any such estate is held by joint tenants or tenants in common, or is subdivided between two or more persons, and the Land Commission are satisfied that such tenants or persons are in the exclusive occupation of separate portions thereof, the Commission may, if they think fit, for the purpose of the foregoing provisions of this Act, declare that any such tenant or person shall be deemed the tenant of the parcel of land in his exclusive occupation, and that such parcel shall be

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deemed a holding, and may apportion the rent of the holding between such tenants or persons as the justice of the case may require.

- (5) Any person aggrieved by any decision of the Land Commission under this section may in the prescribed manner appeal to a Judicial Commissioner.
- (6) For the purpose of the sale of an estate by the Land Judge to the Land Commission, the Land Judge shall have the powers conferred on the Commission by this section, but no appeal shall lie from any decision of the Land Judge under this section.