

Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform Act 1967, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 2

PROVISIONS SUPPLEMENTARY TO SECTIONS 17 AND 18 OF THIS ACT

- 3 (1) On the termination of a tenancy under an order for possession there shall terminate also any immediate or derivative sub-tenancy, and the tenant shall be bound to give up possession of the house and premises to the landlord except in so far as he is precluded from doing so by the rights of other persons to retain possession under or by virtue of any enactment.
- (2) Where a sub-tenancy of property comprised in the tenancy has been created after the date of the application for possession (or any earlier date when, in the case of an application relying on section 28(1) of this Act, a copy of the Minister's certificate was served on the tenant), then no person shall in respect of that sub-tenancy be entitled under [^{F1}subsubsection (2) of section 137 of the ^{M1}Rent Act 1977], or any enactment (including [^{F3}subsection (5)] of that section)] applying or extending it, [^{F4}or under subsection (2) of section 9 of the ^{M2}Rent (Agriculture) Act 1976 as extended by subsection (5) of that section] to retain possession of that property after the termination of the tenancy under the order for possession.
- (3) In exercising its jurisdiction under section 17 or 18 of this Act or this Schedule the court shall assume that the landlord, having obtained an order for possession, will not be precluded from obtaining possession by the right of any person to retain possession by virtue of [^{F5}Part VII of the ^{M3}Rent Act 1977] or any enactment applying or extending that Part of that Act][^{F7}or of the ^{M4}Rent (Agriculture) Act 1976] or otherwise.
- (4) A person in occupation of the house and premises or part of them under a sub-tenancy liable to terminate under sub-paragraph (1) above may, with the leave of the court, appear and be heard on any application for possession or application under paragraph 2 above.

Textual Amendments

- F1** Words substituted by [Rent Act 1968 \(c. 23\)](#), [Sch. 15](#); continued by [Rent Act 1977 \(c. 42\)](#), [Sch. 24 para. 30](#)
- F2** Words substituted by [Rent Act 1977 \(c. 42\)](#), s. 155(2), [Sch. 23 para. 45](#)
- F3** Words substituted by [Rent \(Agriculture\) Act 1976 \(c. 80\)](#), [Sch. 8 para. 18 \(a\)](#)
- F4** Words inserted by [Rent \(Agriculture\) Act 1976 \(c. 80\)](#), [Sch. 8 para. 18 \(a\)](#)
- F5** Words substituted by [Rent Act 1968 \(c. 23\)](#), [Sch. 15](#); continued by [Rent Act 1977 \(c. 42\)](#), [Sch. 24 para. 30](#)
- F6** Words substituted by [Rent Act 1977 \(c. 42\)](#), s. 155(2), [Sch. 23 para. 45](#)
- F7** Words inserted by [Rent \(Agriculture\) Act 1976 \(c. 80\)](#), [Sch. 8 para. 18 \(b\)](#)

Marginal Citations

- M1** 1977 c. 42.
- M2** 1976 c. 80.
- M3** 1977 c. 42.

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M4 1976 c. 80.

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