



Leasehold Reform Act 1967

1967 CHAPTER 88

PART I

ENFRANCHISEMENT AND EXTENSION OF LONG LEASEHOLDS

Right to enfranchisement or extension

3 Meaning of “long tenancy”.

- (1) In this Part of this Act “long tenancy” means, subject to the provisions of this section, a tenancy granted for a term of years certain exceeding twenty-one years, whether or not the tenancy is (or may become) terminable before the end of that term by notice given by or to the tenant or by re-entry, forfeiture or otherwise, and includes [^{F1}both a tenancy taking effect under section 149(6) of the Law of Property Act 1925 (leases terminable after a death or marriage [^{F2}or the formation of a civil partnership]) and] a tenancy for a term fixed by law under a grant with a covenant or obligation for perpetual renewal unless it is a tenancy by sub-demise from one which is not a long tenancy:

Provided that a tenancy granted so as to become terminable by notice after [^{F3}a death, a marriage or the formation of a civil partnership] is not to be treated as a long tenancy [^{F4}if—

- (a) the notice is capable of being given at any time after the death or marriage of [^{F5}, or the formation of a civil partnership by,] the tenant;
 - (b) the length of the notice is not more than three months; and
 - (c) the terms of the tenancy preclude both—
 - (i) its assignment otherwise than by virtue of section 92 of the Housing Act 1985 (assignments by way of exchange), and
 - (ii) the sub-letting of the whole of the premises comprised in it.]
- (2) Where the tenant of any property under a long tenancy at a low rent [^{F6}(other than a lease excluded from the operation of this Part by section 33A of and Schedule 4A to this Act)] , on the coming to an end of that tenancy, becomes or has become tenant of the property or part of it under another tenancy (whether by express grant or by

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implication of law), then the later tenancy shall be deemed for the purposes of this Part of this Act, including any further application of this subsection, to be a long tenancy irrespective of its terms.

- (3) Where the tenant of any property under a long tenancy, on the coming to an end of that tenancy, becomes or has become tenant of the property or part of it under another long tenancy, then in relation to the property or that part of it this Part of this Act^{F7} . . . shall apply as if there had been a single tenancy granted for a term beginning at the same time as the term under the earlier tenancy and expiring at the same time as the term under the later tenancy.
- (4) Where a tenancy is or has been granted for a term of years certain not exceeding twenty-one years, but with a covenant or obligation for renewal without payment of a premium (but not for perpetual renewal), and the tenancy is or has been once or more renewed so as to bring to more than twenty-one years the total of the terms granted (including any interval between the end of a tenancy and the grant of a renewal), then this Part of this Act shall apply as it would apply if the term originally granted had been one exceeding twenty-one years.
- (5) References in this Part of this Act to a long tenancy include any period during which the tenancy is or was continued under Part I or II of the^{M1} Landlord and Tenant Act 1954 [^{F8}under Schedule 10 to the Local Government and Housing Act 1989] or under the^{M2} Leasehold Property (Temporary Provisions) Act 1951.
- (6) Where at any time there are separate tenancies, with the same landlord and the same tenant, of two or more parts of a house, or of a house or part of it and land or other premises occupied therewith, then in relation to the property comprised in such of those tenancies as are long tenancies this Part of this Act shall apply as it would if at that time there were a single tenancy of that property and the tenancy were a long tenancy, and for that purpose references in this Part of this Act to the commencement of the term or to the term date shall, if the separate tenancies commenced at different dates or have different term dates, have effect as references to the commencement or term date, as the case may be, of the tenancy comprising the house (or the earliest commencement or earliest term date of the tenancies comprising it):

Provided that this subsection shall have effect subject to the operation of subsections (2) to (5) above in relation to any of the separate tenancies.

Textual Amendments

- F1** Words in s. 3(1) inserted (1.11.1993) by 1993 c. 28, s. 64(2)(a); S.I. 1993/2134, art. 5(a)
- F2** Words in s. 3(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), Sch. 8 para. 5(2); S.I. 2005/3175, art. 2(1), Sch. 1
- F3** Words in s. 3(1) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), Sch. 8 para. 5(3)(a); S.I. 2005/3175, art. 2(1), Sch. 1
- F4** Word and 3(1)(a)-(c) substituted (1.11.1993) by 1993 c. 28, s. 64(2)(b); S.I. 1993/2134, art. 5(a)
- F5** Words in s. 3(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), Sch. 8 para. 5(3)(b); S.I. 2005/3175, art. 2(1), Sch. 1
- F6** Words inserted by Housing and Planning Act 1986 (c. 63, SIF 75:1), s. 18, Sch. 4 para. 4
- F7** Words in s. 3(3) repealed (26.7.2002 for E. and 1.1.2003 for W.) by 2002 c. 15, s. 180, Sch. 14; S.I. 2002/1912, art. 2(b)(ii), Sch. 1 Pt. 3 (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.); S.I. 2002/3012, art. 2(b)(ii), Sch. 1 Pt. 3 (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.)

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

F8 Words inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 75:1\)](#), s. 194(1), [Sch. 11 para. 8](#)

Marginal Citations

M1 [1954 c. 56](#).

M2 [1951 c. 38](#).

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