



# Defective Premises Act 1972

## 1972 CHAPTER 35

### 6 Supplemental.

(1) In this Act—

“disposal”, in relation to premises, includes a letting, and an assignment or surrender of a tenancy, of the premises and the creation by contract of any other right to occupy the premises, and “dispose” shall be construed accordingly;

“personal injury” includes any disease and any impairment of a person’s physical or mental condition;

“tenancy” means—

- (a) a tenancy created either immediately or derivatively out of the freehold, whether by a lease or underlease, by an agreement for a lease or underlease or by a tenancy agreement, but not including a mortgage term or any interest arising in favour of a mortgagor by his attorning tenant to his mortgagee; or
- (b) a tenancy at will or a tenancy on sufferance; or
- (c) a tenancy, whether or not constituting a tenancy at common law, created by or in pursuance of any enactment;

and cognate expressions shall be construed accordingly.

- (2) Any duty imposed by or enforceable by virtue of any provision of this Act is in addition to any duty a person may owe apart from that provision.
- (3) Any term of an agreement which purports to exclude or restrict, or has the effect of excluding or restricting, the operation of any of the provisions of this Act, or any liability arising by virtue of any such provision, shall be void.
- (4) Section 4 of the <sup>M1</sup>Occupiers Liability Act 1957 (repairing landlords’ duty to visitors to premises) is hereby repealed.

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**Changes to legislation:** There are currently no known outstanding effects for the Defective Premises Act 1972, Section 6. (See end of Document for details)

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**Modifications etc. (not altering text)**

- C1** The text of S. 6(4) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.
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**Marginal Citations**

- M1** 1957 c. 31.

**Changes to legislation:**

There are currently no known outstanding effects for the Defective Premises Act 1972, Section 6.