



Landlord and Tenant (Licensed Premises) Act 1990

1990 CHAPTER 39

An Act to repeal section 43(1)(d) of the Landlord and Tenant Act 1954; and for connected purposes. [1st November 1990]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Licensed premises: application of Landlord and Tenant Act 1954, Part II

(1) In the Landlord and Tenant Act 1954 (in this section referred to as “the 1954 Act”), in section 43 (tenancies excluded from Part II), paragraph (d) of subsection (1) (which excludes tenancies of premises licensed for the sale of intoxicating liquor for consumption on the premises) shall cease to have effect in relation to any tenancy entered into on or after 11th July 1989, otherwise than in pursuance of a contract made before that date.

(2) If a tenancy—

- (a) is of a description mentioned in paragraph (d) of subsection (1) of section 43 of the 1954 Act, and
- (b) is in existence on 11th July 1992, and
- (c) does not fall within subsection (1) above,

that paragraph shall cease to have effect in relation to the tenancy on and after 11th July 1992; and section 24(3)(b) of the 1954 Act (which, in certain cases, preserves the effect of a notice to quit given in respect of a tenancy which becomes one to which Part II of the 1954 Act applies) shall not have effect in the case of a tenancy which becomes one to which that Part applies by virtue of this subsection.

(3) In relation to a tenancy falling within subsection (2) above, before 11th July 1992 the following notices may be given and any steps may be taken in consequence thereof as if section 43(1)(d) of the 1954 Act had already ceased to have effect—

- (a) a notice under section 25 of the 1954 Act (termination of tenancy by landlord) specifying as the date of termination 11th July 1992 or any later date;
 - (b) a notice under section 26 of the 1954 Act (tenant's request for a new tenancy) requesting a new tenancy beginning not earlier than that date; and
 - (c) a notice under section 27(1) of the 1954 Act (termination by tenant of tenancy for fixed term) stating that the tenant does not desire his tenancy to be continued.
- (4) In this section “tenancy” has the same meaning as in Part II of the 1954 Act.

2 Short title, repeal, commencement and extent

- (1) This Act may be cited as the Landlord and Tenant (Licensed Premises) Act 1990.
- (2) Subject to subsections (1) and (2) of section 1 of this Act,—
- (a) section 43(1)(d) of the Landlord and Tenant Act 1954, and
 - (b) paragraph 5 of Schedule 2 to the Finance Act 1959 (which amended section 43 by substituting the present subsection (1)(d)),
- are hereby repealed.
- (3) This Act shall come into force at the end of the period of two months beginning with the day on which it is passed.
- (4) This Act does not extend to Scotland or Northern Ireland.