
Changes to legislation: There are currently no known outstanding effects for the Law of Property (Miscellaneous Provisions) Act 1994, Paragraph 5. (See end of Document for details)

SCHEDULES

SCHEDULE 1

CONSEQUENTIAL AMENDMENTS

Leasehold Reform Act 1967 (c.88)

- 5 (1) In section 10 of the Leasehold Reform Act 1967 (rights to be conveyed to tenant on enfranchisement), in subsection (1) omit the words from “nor to enter into any covenant for title” to the end, and after that subsection insert—
- “(1A) The landlord shall not be required to enter into any covenant for title beyond those implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 in a case where a disposition is expressed to be made with limited title guarantee; and in the absence of agreement to the contrary he shall be entitled to be indemnified by the tenant in respect of any costs incurred by him in complying with the covenant implied by virtue of section 2(1)(b) of that Act (covenant for further assurance).”
- (2) In section 15 of that Act (terms of tenancy to be granted on extension), for subsection (9) substitute—
- “(9) In granting the new tenancy, the landlord shall not be bound to enter into any covenant for title beyond—
- (a) those implied from the grant, and
 - (b) those implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 in a case where a disposition is expressed to be made with limited title guarantee, but not including (in the case of a sub-tenancy) the covenant in section 4(1)(b) of that Act (compliance with terms of lease);
- and in the absence of agreement to the contrary the landlord shall be entitled to be indemnified by the tenant in respect of any costs incurred by him in complying with the covenant implied by virtue of section 2(1)(b) of that Act (covenant for further assurance).
- (9A) A person entering into any covenant required of him as landlord (under subsection (9) or otherwise) shall be entitled to limit his personal liability to breaches of that covenant for which he is responsible.”
- (3) In Schedule 1 to that Act (enfranchisement or extension by sub-tenants), in paragraph 7(1)(a), after “that tenancy” insert “, and the reference in subsection (1A) of that section to the covenants for title implied under Part I of the Law of Property (Miscellaneous Provisions) Act 1994 shall be read as excluding the covenant in section 4(1)(b) of that Act (compliance with terms of lease) ”.

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