



Landlord and Tenant Act 1954

1954 CHAPTER 56

PART II

SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND OTHER TENANTS

General and supplementary provisions

42 Group of companies.

- (1) For the purposes of this section two bodies corporate shall be taken to be members of a group if and only if one is a subsidiary of the other or both are subsidiaries of a third body corporate.

In this subsection " subsidiary " has the same meaning as is assigned to it for the purposes of the Companies Act, 1948, by section one hundred and fifty-four of that Act.

- (2) Where a tenancy is held by a member of a group, occupation by another member of the group, and the carrying on of a business by another member of the group, shall be treated for the purposes of section twenty-three of this Act as equivalent to occupation or the carrying on of a business by the member of the group holding the tenancy; and in relation to a tenancy to which this Part of this Act applies by virtue of the foregoing provisions of this subsection—
- (a) references (however expressed) in this Part of this Act and in the Ninth Schedule to this Act to the business of or to use occupation or enjoyment by the tenant shall be construed as including references to the business of or to use occupation or enjoyment by the said other member;
 - (b) the reference in paragraph (d) of section thirty-four of this Act to the tenant shall be construed as including the said other member; and
 - (c) an assignment of the tenancy from one member of the group to another shall not be treated as a change in the person of the tenant.
- (3) Where the landlord's interest is held by a member of a group the reference in paragraph (g) of subsection (1) of section thirty of this Act to intended occupation by

Status: This is the original version (as it was originally enacted).

the landlord for the purposes of a business to be carried on by him shall be construed as including intended occupation by any member of the group for the purposes of a business to be carried on by that member.