



Landlord and Tenant Act 1954

1954 CHAPTER 56

PART II

SECURITY OF TENURE FOR BUSINESS, PROFESSIONAL AND OTHER TENANTS

General and supplementary provisions

43 Tenancies excluded from Part II.

- (1) This Part of this Act does not apply—
- (a) to a tenancy of an agricultural holding;
 - (b) to a tenancy created by a mining lease ;
 - (c) to a tenancy where the property comprised therein is let under a letting to which the restrictions on the obtaining of possession by the landlord imposed by section three of the Rent and Mortgage Restrictions (Amendment) Act, 1933, apply in relation to the tenant, or would apply but for subsection (7) of section twelve of the Increase of Rent and Mortgage Interest (Restrictions) Act, 1920; or
 - (d) to a tenancy of premises licensed for the sale of intoxicating liquor for consumption on the premises, other than premises where—
 - (i) the excise licence for the time being in force is a licence the duty in respect of which is the reduced duty payable under paragraph 3, 5, 6, 10, 11 or 12 of the Fourth Schedule to the Customs and Excise Act, 1952, or a licence granted on the provisional payment of reduced duty with a view to subsequent adjustment to the duty payable under the said paragraph 3 or the said paragraph 6 ; or
 - (ii) the Commissioners of Customs and Excise certify that no application under any of the said paragraphs has been made in respect of the period for which the excise licence for the time being in force was granted, but that if such an application had been made such a licence as is mentioned in sub-paragraph (i) of this paragraph could properly have been granted.

Status: This is the original version (as it was originally enacted).

- (2) This Part of this Act does not apply to a tenancy granted by reason that the tenant was the holder of an office, appointment or employment from the grantor thereof and continuing only so long as the tenant holds the office, appointment or employment, or terminable by the grantor on the tenant's ceasing to hold it, or coming to an end at a time fixed by reference to the time at which the tenant ceases to hold it:

Provided that this subsection shall not have effect in relation to a tenancy granted after the commencement of this Act unless the tenancy was granted by an instrument in writing which expressed the purpose for which the tenancy was granted.

- (3) This Part of this Act does not apply to a tenancy granted for a term certain not exceeding three months unless—
- (a) the tenancy contains provision for renewing the term or for extending it beyond three months from its beginning; or
 - (b) the tenant has been in occupation for a period which, together with any period during which any predecessor in the carrying on of the business carried on by the tenant was in occupation, exceeds six months.