



Landlord and Tenant Act 1954

1954 CHAPTER 56 2 and 3 Eliz 2

PART IV

MISCELLANEOUS AND SUPPLEMENTARY

63 Jurisdiction of court for purposes of Parts I and II and of Part I of Landlord and Tenant Act 1927.

- (1) Any jurisdiction conferred on the court by any provision of Part I of this Act shall be exercised by the county court.
- (2) Any jurisdiction conferred on the court by any provision of Part II of this Act or conferred on the tribunal by Part I of the ^{M1}Landlord and Tenant Act 1927, shall, subject to the provisions of this section, be exercised,—^{F1}by the High Court or ^{F2}the county court].]

^{F3}(3)

- (4) The following provisions shall have effect as respects transfer of proceedings from or to the High Court or the county court, that is to say—
 - (a) where an application is made to the one but by virtue of ^{F4}an Order under section 1 of the Courts and Legal Services Act 1990] cannot be entertained except by the other, the application shall not be treated as improperly made but any proceedings thereon shall be transferred to the other court;
 - (b) any proceedings under the provisions of Part II of this Act or of Part I of the ^{M2}Landlord and Tenant Act 1927, which are pending before one of those courts may by order of that court made on the application of any person interested be transferred to the other court, if it appears to the court making the order that it is desirable that the proceedings and any proceedings before the other court should both be entertained by the other court.

- (5) In any proceedings where in accordance with the foregoing provisions of this section the county court exercises jurisdiction the powers of the judge of summoning one or more assessors under ^{F5}subsection (1) of section 91 of the ^{M3}County Courts Act 1959],

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may be exercised notwithstanding that no application is made in that behalf by any party to the proceedings.

- (6) Where in any such proceedings an assessor is summoned by a judge under the said subsection (1),—
- (a) he may, if so directed by the judge, inspect the land to which the proceedings relate without the judge and report to the judge in writing thereon;
 - (b) the judge may on consideration of the report and any observations of the parties thereon give such judgment or make such order in the proceedings as may be just;
 - (c) the remuneration of the assessor shall be at such rate as may be determined by the Lord Chancellor with the approval of the Treasury and shall be defrayed out of moneys provided by Parliament.
- (7) In this section the expression “the holding”—
- (a) in relation to proceedings under Part II of this Act, has the meaning assigned to it by subsection (3) of section twenty-three of this Act,
 - (b) in relation to proceedings under Part I of the Landlord and Tenant Act 1927, has the same meaning as in the said Part I.

^{F6}(8)

(9) Nothing in this section shall prejudice the operation of [^{F7}section 41 of the County Courts Act 1984] (which relates to the removal into the High Court of proceedings commenced in [^{F8}the county court]).

(10) In accordance with the foregoing provisions of this section, for section twenty-one of the Landlord and Tenant Act, 1927, there shall be substituted the following section—

“21 The tribunal.

The tribunal for the purposes of Part I of this Act shall be the court exercising jurisdiction in accordance with the provisions of section sixty-three of the Landlord and Tenant Act, 1954.”

Textual Amendments

- F1** In s. 63(2) by virtue of [S.I. 1991/724, art. 2\(8\)](#), [Schedule](#), paras. (a)(b) are omitted and words substituted
- F2** Words in s. 63(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)
- F3** S. 63(3) omitted by virtue of [S.I. 1991/724, art. 2\(8\)](#), [Schedule](#)
- F4** Words in s. 63(4)(a) substituted by [S.I. 1991/724, art. 2\(8\)](#), [Schedule](#)
- F5** Words substituted by virtue of [County Courts Act 1959 \(c. 22\)](#), s. 205(5)
- F6** S. 63(8) omitted by virtue of [S.I. 1991/724, art. 2\(8\)](#), [Schedule](#)
- F7** Words in s. 63(9) substituted by virtue of [S.I. 1991/724, art. 2\(8\)](#), [Schedule](#)
- F8** Words in s. 63(9) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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Modifications etc. (not altering text)

- C1** S. 63 applied by [Local Government and Housing Act 1989 \(c. 42, SIF 75:1\)](#), s. 186, Sch. 10 paras. 20(3), 21, 22
- C2** S. 63 amended by [S.I. 1990/776](#), [arts. 2\(2\)](#), 4(1)(d)
- C3** S. 63(2) extended by [S.I. 1991/724](#), [art. 2\(1\)\(d\)](#)
- C4** The text of s. 63(10) 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.

Marginal Citations

- M1** 1927 c. 36.
- M2** 1927 c. 36.
- M3** 1959 c. 22.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 34(5) inserted by [2022 c. 46 s. 61\(5\)](#)
- s. 34A inserted by [2022 c. 46 s. 61\(2\)](#)
- s. 34B34C inserted by [2022 c. 46 s. 63](#)
- s. 63(2A)-(2C) inserted by [2022 c. 46 s. 65](#)