



# Law of Property Act 1922

1922 CHAPTER 16 12 and 13 Geo 5

## PART XI

### GENERAL PROVISIONS

#### 188 General definitions and jurisdiction of the court.

In this Act unless a contrary intention appears—

- (1) “Land” includes land of any tenure, and mines and minerals, buildings or parts (whether the division is horizontal, vertical or otherwise) of buildings and other corporeal hereditaments; also a manor, an advowson, and a rent and other incorporeal hereditaments, and an easement, right, privilege, or benefit in, over, or derived from land; <sup>F1</sup> . . . ; and “mines and minerals” include any strata or seam of minerals or substances in or under any land, and powers of working and getting the same <sup>F1</sup> . . . ;
- (2) . . . <sup>F2</sup>
- (6) “Court” means the High Court of Justice, . . . <sup>F3</sup> or the county court, . . . <sup>F3</sup> and all matters within the jurisdiction of the High Court under this Act shall, subject to the Acts regulating the court, be assigned to the Chancery Division of the court; and every application to the court under this Act shall, except where it is otherwise expressed and subject to any rules of court to the contrary, be by summons at chambers, and the court shall have full power and discretion to make such order as it thinks fit respecting the costs, charges and expenses of all or any of the parties to any application;
- (7) . . . <sup>F2</sup>
- (9) “The Land Transfer Acts” means the Land Transfer Acts, 1875 and 1897, and includes any Act consolidating or amending the same, including this Act; and “Land Registrar” means the registrar under those Acts:
- (10) . . . <sup>F2</sup>
- (19) . . . <sup>F4</sup>
- (20) . . . <sup>F2</sup>

*Status: Point in time view as at 23/12/2011.*

*Changes to legislation: There are currently no known outstanding effects for the Law of Property Act 1922, Part XI. (See end of Document for details)*

(23) “Settled land” has the same meaning as in the Settled Land Acts, and where the settlement consists of more than one instrument, or where any estate, interest, power or charge is by this Act made to take effect as if limited or protected by the settlement, it includes every estate or interest comprised in such compound settlement;

(24) . . . <sup>F2</sup>

<sup>F5</sup>(30) . . . . .

(31) <sup>F6</sup> . . .

(32) . . . <sup>F2</sup>

**Textual Amendments**

**F1** Words in s. 188(1) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with s. 24(2), 25(4)(5)); S.I. 1996/2974, **art. 2**

**F2** Ss. 43(4)–(7), 128–136, 138–143, 188(2)–(5)(7)(8)(10)–(18)(20)–(22)(24)–(29)(32), 189 and Schs. 12–14 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III**

**F3** Words repealed by Courts Act 1971 (c. 23), **Sch. 11 Pt. II**

**F4** S. 188(19) repealed by Mental Health Act 1959 (c. 72), **Sch. 8, Pt. I**

**F5** S. 188(30) repealed (1.1.1997) by 1996 c. 47, s. 25(2), **Sch. 4** (with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art. 2**

**F6** S. 188(31) repealed (27.3.2002) by S.I. 2002/794, art. 5(2), **Sch. 2** (with arts. 5(3), 6)

**189** . . . . . <sup>F7</sup>

**Textual Amendments**

**F7** Ss. 43(4)–(7), 128–136, 138–143, 188(2)–(5)(7)(8)(10)–(18)(20)–(22)(24)–(29)(32), 189 and Schs. 12–14 repealed by Statute Law (Repeals) Act 1969 (c. 52), **Sch. Pt. III**

**190 Special definitions applicable to Part VII.**

In Part VII. of this Act—

- (i) “Lessor” means the person for the time being entitled in reversion expectant on the interest demised, or, where the reversion is encumbered, the person having power to accept a surrender of the lease, or underlease;
- (ii) “Lessee” and “underlessee” include the persons respectively deriving title under them;
- (iii) “A perpetually renewable lease or underlease” means a lease or underlease the holder of which is entitled to enforce (whether or not subject to the fulfilment of any condition) the perpetual renewal thereof, and includes a lease or underlease for a life or lives or for a term of years, whether determinable with life or lives or not, which is perpetually renewable as aforesaid, but does not include copyhold land held for a life or lives or for years, whether or not determinable with life, where the tenant had before the commencement of this Act a right of perpetual renewal subject or not to the fulfilment of any condition;

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- (iv) “Underlease,” unless the context otherwise requires, includes a subterm created out of a derivative leasehold interest.

**191 Short title; commencement; extent.**

(1) This Act may be cited as the Law of Property Act, 1922.

(2) . . . <sup>F8</sup>

(3) This Act (including the repeals therein) shall not extend to Scotland or Ireland.

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**Textual Amendments**

**F8** S. 191(2) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

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**Modifications etc. (not altering text)**

**C1** Unreliable marginal note

**Status:**

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