



Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971

1971 CHAPTER 7

11 ^{F1} Provisions in relation to parties to apportionment of rent.

- (1) Where a person who is required by this Act to join in the apportionment of a rent is, by reason of having a fiduciary capacity or a limited estate or by reason of restrictive covenants in the lease under which he holds, incapable in law of joining in the apportionment, the Lands Tribunal may, on the application of any person concerned, empower the person so required to join in the apportionment.
- (2) Where a person who is required by this Act to join in the apportionment of a rent is a minor or is unknown or unascertained or refuses or fails to execute any relevant document, the Lands Tribunal may, on the application of any person concerned, appoint an officer of the Tribunal to execute such document for and in the name of the person so required and thereupon the execution of such document by such officer for and in the name of such person shall for all purposes be as effectual as the execution thereof by such person and as if, where such person is under any disability, he were not under that disability.
- (3) Where any person who is required by this Act to join in the apportionment of a rent is unknown or unascertained, the Lands Tribunal may, on the application of the person seeking the apportionment, appoint any person who is receiving the rent in respect of the estate in the land of the person making the application, or such other person as the Tribunal may think fit to appoint, to represent such unknown or unascertained person in all proceedings in connection with the apportionment, and may, at the same time or subsequently, appoint an officer of the Tribunal to execute any relevant document for and on behalf of the person so required and unknown or unascertained, and thereupon the execution of such document by such officer for and on behalf of such person shall for all purposes be as effectual as the execution thereof by such unknown or unascertained person.
- [^{F2}(4) Without prejudice to the powers of a person appointed attorney under an enduring power of attorney which has taken effect, where a person who is required by this Act]^{F2} to join in the apportionment of a rent] is incapable, by reason of mental disorder within the meaning of the Mental Health (Northern Ireland) Order 1986, of managing

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and administering his property and affairs, his controller or (if no controller is acting for him) any person authorised in that behalf under an order of the High Court may represent him for all or any of the purposes of this Act.]

- (5) Where a person upon whom a notice under section 9 in relation to rent is required to be served cannot be found or ascertained, the person shall be deemed, for the purposes of this section, to be a person who is required by this Act to join in the apportionment of the rent.

F1	functions transf. 1982 NI 6
F2	1997 NI 8

Changes to legislation:

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