



# Law of Property Act 1969

## 1969 CHAPTER 59

### PART I

#### AMENDMENT OF PART II OF LANDLORD AND TENANT ACT 1954

##### *Miscellaneous*

#### **11 Compensation where no application to court is made**

In section 37(1) of the Act of 1954 (compensation where court precluded from making an order for new tenancy on any of the grounds specified in paragraphs (e), (f) and (g) of section 30(1)) after the words " of that subsection" there shall be inserted the words " or where no other ground is specified in the landlord's notice under section 25 of this Act or, as the case may be, under section 26(6) thereof, than those specified in the said paragraphs (e), (f) and (g) and either no application under the said section 24 is made or such an application is withdrawn ".

#### **12 Duration of short tenancies excluded from Part II of Act of 1954**

- (1) In section 43(3) of the Act of 1954 (exclusion of certain tenancies granted for not more than three months) for the words " three months ", in both places where they occur, there shall be substituted the words " six months " and for the words " six months " (in paragraph (b)) the words " twelve months ".
- (2) Subsection (1) of this section does not apply to tenancies granted before the commencement of this Act.

#### **13 Jurisdiction of county court to make declaration**

After section 43 of the Act of 1954 there shall be inserted the following section:—

Where the rateable value of the holding is such that the jurisdiction conferred on the court by any other provision of this Part of this Act is, by virtue of section 63 of this Act, exercisable by the county court, the county court shall

have jurisdiction (but without prejudice to the jurisdiction of the High Court) to make any declaration as to any matter arising under this Part of this Act, whether or not any other relief is sought in the proceedings.”

**14 Definition of landlord and further provisions where immediate landlord is not the freeholder**

(1) In section 44(1) of the Act of 1954 the following paragraph shall be substituted for paragraph (b):

“(b) that it is either the fee simple or a tenancy which will not come to an end within fourteen months by effluxion of time and, if it is such a tenancy, that no notice has been given by virtue of which it will come to an end within fourteen months or any further time by which it may be continued under section 36(2) or section 64 of this Act”.

(2) The following shall be added at the end of Schedule 6 to the Act of 1954:—

*“Withdrawal by competent landlord of notice given by mesne landlord*

6 Where the competent landlord has given a notice under section 25 of this Act to terminate the relevant tenancy and, within two months after the giving of the notice, a superior landlord—

- (a) becomes the competent landlord; and
- (b) gives to the tenant notice in the prescribed form that he withdraws the notice previously given ;

the notice under section 25 of this Act shall cease to have effect, but without prejudice to the giving of a further notice under that section by the competent landlord.

*Duty to inform superior landlords*

7 If the competent landlord's interest in the property comprised in the relevant tenancy is a tenancy which will come or can be brought to an end within sixteen months (or any further time by which it may be continued under section 36(2) or section 64 of this Act) and he gives to the tenant under the relevant tenancy a notice under section 25 of this Act to terminate the tenancy or is given by him a notice under section 26(3) of this Act:—

- (a) the competent landlord shall forthwith send a copy of the notice to his immediate landlord; and
- (b) any superior landlord whose interest in the property is a tenancy shall forthwith send to his immediate landlord any copy which has been sent to him in pursuance of the preceding sub-paragraph or this sub-paragraph”.

**15 Certain provisions of Part II of Act of 1954 set out as amended**

Sections 24, 27, 30, 32, 34, 37, 38, 42 and 44 of the Act of 1954 and Schedule 6 to that Act, and section 43(3) of that Act as it applies to tenancies granted after the commencement of this Act, are set out as amended by this Part of this Act in Schedule 1 to this Act.