



Law of Property (Miscellaneous Provisions) Act 1994

1994 CHAPTER 36

PART I

IMPLIED COVENANTS FOR TITLE

Transitional provisions

11 Covenants in old form implied in certain cases.

- (1) Section 76 of the ^{M1}Law of Property Act 1925 applies in relation to a disposition of property made after the commencement of this Part in pursuance of a contract entered into before commencement where—
- (a) the contract contains a term providing for a disposition to which that section would have applied if the disposition had been made before commencement, and
 - (b) the existence of the contract and of that term is apparent on the face of the instrument effecting the disposition,
- unless there has been an intervening disposition of the property expressed, in accordance with this Part, to be made with full title guarantee.
- (2) Section 24(1)(a) of the ^{M2}Land Registration Act 1925 applies in relation to a disposition of a leasehold interest in land made after the commencement of this Part in pursuance of a contract entered into before commencement where—
- (a) the covenant specified in that provision would have been implied on the disposition if it had been made before commencement, and
 - (b) the existence of the contract is apparent on the face of the instrument effecting the disposition,
- unless there has been an intervening disposition of the leasehold interest expressed, in accordance with this Part, to be made with full title guarantee.

Changes to legislation: There are currently no known outstanding effects for the Law of Property (Miscellaneous Provisions) Act 1994, Section 11. (See end of Document for details)

- (3) In subsections (1) and (2) an “intervening disposition” means a disposition after the commencement of this Part to, or to a predecessor in title of, the person by whom the disposition in question is made.
- (4) Where in order for subsection (1) or (2) to apply it is necessary for certain matters to be apparent on the face of the instrument effecting the disposition, the contract shall be deemed to contain an implied term that they should so appear.

Marginal Citations**M1** 1925 c. 20.**M2** 1925 c. 21.

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