



Leasehold Reform Act 1967

1967 CHAPTER 88

PART I **E+W**

ENFRANCHISEMENT AND EXTENSION OF LONG LEASEHOLDS

Right to enfranchisement or extension

6 **Rights of trustees.** **E+W**

- (1) [^{F1}A tenant of a house shall for purposes of this Part of this Act be treated as having been a tenant of it at any earlier time] if at that time—
- the tenancy was settled land for purposes of the ^{M1}Settled Land Act 1925, and he was sole tenant for life within the meaning of that Act; or
 - the tenancy was vested in trustees and he, as a person beneficially interested (whether directly or derivatively) under the trusts, was entitled or permitted to occupy the house by reason of that interest.

References in this section to trustees include persons holding on [^{F2}a trust arising under section 34 or section 36] of the ^{M2}Law of Property Act 1925 in cases of joint ownership or ownership in common.

- (2) Where a tenancy of a house is settled land for purposes of the Settled Land Act 1925, a sole tenant for life within the meaning of that Act shall have the same rights under this Part of this Act ^{F3} . . . as if the tenancy of it belonged to him absolutely, but without prejudice to his position under the settlement as a trustee for all parties entitled under the settlement; and—
- the powers under that Act of a tenant for life shall include power to accept an extended lease under this Part of this Act; and
 - an extended lease granted under this Part of this Act to a tenant for life or statutory owner shall be treated as a subsidiary vesting deed in accordance with section 53(2) of that Act.
- (3) Where a tenancy of a house is vested in trustees (other than a sole tenant for life within the meaning of the Settled Land Act 1925), and a person beneficially interested

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(whether directly or derivatively) under the trusts is entitled or permitted by reason of his interest to occupy the house, then the trustees shall have the like rights under this Part of this Act in respect of his occupation as he would have if he were the tenant occupying in right of the tenancy.

- (4) Without prejudice to any powers exercisable under the Settled Land Act 1925 by tenants for life or statutory owners within the meaning of that Act, where a tenancy of a house is vested in trustees, then unless the instrument regulating the trusts (being made after the passing of this Act) contains an explicit direction to the contrary, the powers of the trustees under that instrument shall include power, with the like consent or on the like direction (if any) as may be required for the exercise of their powers (or ordinary powers) of investment, to acquire and retain the freehold or an extended lease under this Part of this Act.
- (5) The purposes authorised for the application of capital money by section 73 of the ^{M3}Settled Land Act 1925, . . . and the purposes authorised by section 71 of the Settled Land Act 1925. . . as purposes for which moneys may be raised by mortgage, shall include the payment of any expenses incurred by a tenant for life ^{F3}. . . in or in connection with proceedings taken by him ^{F3}. . . by virtue of subsection (2) or (3) above.

Textual Amendments

- F1** Words in s. 6(1) substituted (26.7.2002 E. and 1.1.2003 W.) by 2002 c. 15, s. 138(5); S.I. 2002/1912, art. 2(b)(i) (subject to transitional provision in Sch. 2 of the commencing S.I); S.I. 2002/3012, art. 2(b)(i) (subject to transitional provision in Sch. 2 of the commencing S.I)
- F2** Words in s. 6(1) substituted (1.1.1997) by 1996 c. 47, s. 25(1), Sch. 3 para. 10(a) (with ss. 24(2), 25(4)(5)); S.I. 1996/2974, art. 2
- F3** Words in s. 6(2)(5) repealed (26.7.2002 E. and 1.1.2003 W.) by 2002 c. 15, s. 180, Sch. 14; S.I. 2002/1912, art. 2(b)(ii), Sch. 1 Pt. 3 (subject to transitional provision in Sch. 2 of the commencing S.I); S.I. 2002/3012, art. 2(b)(ii), Sch. 1 Pt. 3 (subject to transitional provision in Sch. 2 of the commencing S.I)

Marginal Citations

- M1** 1925 c. 18.
M2 1925 c. 20.
M3 1925 c. 18.

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Changes and effects yet to be applied to :

- s. 6(3) repealed by [2002 c. 15 Sch. 14](#)