



Law of Property Act 1969

1969 CHAPTER 59

PART I

AMENDMENT OF PART II OF ^{M1}LANDLORD AND TENANT ACT 1954

Termination of tenancy and right to new tenancy

5 Exclusion of provisions of Part II of Act of 1954 by authorised agreement. ^{X1}

In subsection (1) of section 38 of the Act of 1954 (restriction on agreements excluding provisions of Part II) after the words “shall be void” there shall be inserted the words “(except as provided by subsection (4) of this section)” and at the end of the section there shall be added the following subsection:—

“(4) The court may—

- (a) on the joint application of the persons who will be the landlord and the tenant in relation to a tenancy to be granted for a term of years certain which will be a tenancy to which this Part of this Act applies, authorise an agreement excluding in relation to that tenancy the provisions of sections 24 to 28 of this Act ; and
- (b) on the joint application of the persons who are the landlord and the tenant in relation to a tenancy to which this Part of this Act applies, authorise an agreement for the surrender of the tenancy on such date or in such circumstances as may be specified in the agreement and on such terms (if any) as may be so specified ;

if the agreement is contained in or endorsed on the instrument creating the tenancy or such other instrument as the court may specify; and an agreement contained in or endorsed on an instrument in pursuance of an authorisation given under this subsection shall be valid notwithstanding anything in the preceding provisions of this section.”

Changes to legislation: There are currently no known outstanding effects for the Law of Property Act 1969, Section 5. (See end of Document for details)

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Editorial Information

- X1** The text of ss. 1–12(1), 13 and 14 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Changes to legislation:

There are currently no known outstanding effects for the Law of Property Act 1969, Section 5.