



# Protection from Eviction Act 1977

## 1977 CHAPTER 43

### PART II

#### NOTICE TO QUIT

#### 5 Validity of notices to quit.

- (1) [<sup>F1</sup>Subject to subsection (1B) below] no notice by a landlord or a tenant to quit any premises let (whether before or after the commencement of this Act) as a dwelling shall be valid unless—
- it is in writing and contains such information as may be prescribed, and
  - it is given not less than 4 weeks before the date on which it is to take effect.
- [<sup>F2</sup>(1A) Subject to [<sup>F3</sup>subsections (1B) and (1C)] below, no notice by a licensor or a licensee to determine a periodic licence to occupy premises as a dwelling (whether the licence was granted before or after the passing of this Act) shall be valid unless—
- it is in writing and contains such information as may be prescribed, and
  - it is given not less than 4 weeks before the date on which it is to take effect.
- (1B) Nothing in subsection (1) or subsection (1A) above applies to—
- premises let on an excluded tenancy which is entered into on or after the date on which the Housing Act 1988 came into force unless it is entered into pursuant to a contract made before that date; or
  - premises occupied under an excluded licence.]

[<sup>F4</sup>(1C) Because of section 232 (forfeiture and notices to quit) of the Renting Homes (Wales) Act 2016 (anaw 1), this section does not apply to a dwelling in Wales which is subject to an occupation contract.]

(2) In this section “prescribed” means prescribed by regulations made by the Secretary of State by statutory instrument, and a statutory instrument containing any such regulations shall be subject to annulment in pursuance of a resolution of either House of Parliament.

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**Changes to legislation:** Protection from Eviction Act 1977, Section 5 is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (3) Regulations under this section may make different provision in relation to different descriptions of lettings and different circumstances.

#### Textual Amendments

- F1** Words inserted by [Housing Act 1988 \(c. 50, SIF 75:1\)](#), **ss. 32(1)**, 44(2)(b)
- F2** S. 5(1A)(1B) inserted by [Housing Act 1988 \(c. 50, SIF 75:1\)](#), **ss. 32(2)**, 44(2)(b)
- F3** Words in s. 5(1A) substituted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **9(2)(a)** (with savings and transitional provisions in [S.I. 2022/1172](#), regs. 14, 19)
- F4** S. 5(1C) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **9(2)(b)** (with savings and transitional provisions in [S.I. 2022/1172](#), regs. 14, 19)

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Protection from Eviction Act 1977, Section 5 is up to date with all changes known to be in force on or before 12 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [2002 c. 41 s. 32\(4\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 3A(7B) inserted by [2002 c. 41 s. 32\(5\)](#)