



Housing Act 1988

1988 CHAPTER 50

PART V

MISCELLANEOUS AND GENERAL

Leases.

115 Premiums on long leases

(1) With respect to—

- (a) any premium received or required to be paid after the commencement of this Act, or
- (b) any loan required to be made after that commencement,

section 127 of the Rent Act 1977 (allowable premiums in relation to certain long tenancies) shall have effect subject to the amendments in subsections (2) and (3) below.

(2) For subsections (2) and (3) there shall be substituted the following subsections—

“(2) The conditions mentioned in subsection (1)(a) above are—

- (a) that the landlord has no power to determine the tenancy at any time within twenty years beginning on the date when it was granted; and
- (b) that the terms of the tenancy do not inhibit both the assignment and the underletting of the whole of the premises comprised in the tenancy;

but for the purpose of paragraph (b) above there shall be disregarded any term of the tenancy which inhibits assignment and underletting only during a period which is or falls within the final seven years of the term for which the tenancy was granted.

(3) The reference in subsection (2) above to a power or re-entry or forfeiture for breach of any term or condition of the tenancy.”

(3) Subsections (3C) and (3D) shall be omitted and in subsection (5) for “(2)(c)” there shall be substituted “(2)(b)”.

Status: This is the original version (as it was originally enacted).

- (4) Expressions used in subsection (1) above have the same meaning as in Part IX of the Rent Act 1977.