



# Landlord and Tenant (Covenants) Act 1995

## 1995 CHAPTER 30

### *Release of covenants on assignment*

#### **5 Tenant released from covenants on assignment of tenancy.**

- (1) This section applies where a tenant assigns premises demised to him under a tenancy.
- (2) If the tenant assigns the whole of the premises demised to him, he—
  - (a) is released from the tenant covenants of the tenancy, and
  - (b) ceases to be entitled to the benefit of the landlord covenants of the tenancy, as from the assignment.
- (3) If the tenant assigns part only of the premises demised to him, then as from the assignment he—
  - (a) is released from the tenant covenants of the tenancy, and
  - (b) ceases to be entitled to the benefit of the landlord covenants of the tenancy, only to the extent that those covenants fall to be complied with in relation to that part of the demised premises.
- (4) This section applies as mentioned in subsection (1) whether or not the tenant is tenant of the whole of the premises comprised in the tenancy.
- [<sup>F1</sup>(5) This section is subject to paragraph 16(4) of Schedule 3A to the Communications Act 2003 (which places conditions on the release of an operator from liability under an agreement granting code rights under the electronic communications code).]

#### **Textual Amendments**

- F1** S. 5(5) inserted (28.12.2017) by [Digital Economy Act 2017 \(c. 30\)](#), s. 118(6), [Sch. 3 para. 36](#); [S.I. 2017/1286](#), reg. 2(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Landlord and Tenant (Covenants) Act 1995, Section 5.