



Landlord and Tenant Act 1954

1954 CHAPTER 56 2 and 3 Eliz 2

PART III

COMPENSATION FOR IMPROVEMENTS

47 Time for making claims for compensation for improvements.

- (1) Where a tenancy is terminated by notice to quit, whether given by the landlord or by the tenant, or by a notice given by any person under Part I or Part II of this Act, the time for making a claim for compensation at the termination of the tenancy shall be a time falling within the period of three months beginning on the date on which the notice is given:

Provided that where the tenancy is terminated by a tenant's request for a new tenancy under section twenty-six of this Act, the said time shall be a time falling within the period of three months beginning on the date on which the landlord gives notice, or (if he has not given such a notice) the latest date on which he could have given notice, under subsection (6) of the said section twenty-six or, as the case may be, paragraph (a) of subsection (4) of section fifty-seven or paragraph (b) of subsection (1) of section fifty-eight of this Act.

- (2) Where a tenancy comes to an end by effluxion of time, the time for making such a claim shall be a time not earlier than six nor later than three months before the coming to an end of the tenancy.
- (3) Where a tenancy is terminated by forfeiture or re-entry, the time for making such a claim shall be a time falling within the period of three months beginning with the effective date of the order of the court for the recovery of possession of the land comprised in the tenancy or, if the tenancy is terminated by re-entry without such an order, the period of three months beginning with the date of the re-entry.
- (4) In the last foregoing subsection the reference to the effective date of an order is a reference to the date on which the order is to take effect according to the terms thereof or the date on which it ceases to be subject to appeal, whichever is the later.

Status: Point in time view as at 01/09/1995.

Changes to legislation: Landlord and Tenant Act 1954, Part III is up to date with all changes known to be in force on or before 26 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)

- (5) In subsection (1) of section one of the Act of 1927, for paragraphs (a) and (b) (which specify the time for making claims for compensation) there shall be substituted the words “and within the time limited by section forty-seven of the Landlord and Tenant Act, 1954”.

Modifications etc. (not altering text)

- C1** The text of ss. 47(5), 51(2), 63(10) 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.

48 Amendments as to limitations on tenant’s right to compensation.

- (1) So much of paragraph (b) of subsection (1) of section two of the Act of 1927 as provides that a tenant shall not be entitled to compensation in respect of any improvement made in pursuance of a statutory obligation shall not apply to any improvement begun after the commencement of this Act, but section three of the Act of 1927 (which enables a landlord to object to a proposed improvement) shall not have effect in relation to an improvement made in pursuance of a statutory obligation except so much thereof as—
- (a) requires the tenant to serve on the landlord notice of his intention to make the improvement together with such a plan and specification as are mentioned in that section and to supply copies of the plan and specification at the request of any superior landlord; and
 - (b) enables the tenant to obtain at his expense a certificate from the landlord or the tribunal that the improvement has been duly executed.
- (2) Paragraph (c) of the said subsection (1) (which provides that a tenant shall not be entitled to compensation in respect of any improvement made less than three years before the termination of the tenancy) shall not apply to any improvement begun after the commencement of this Act.
- (3) No notice shall be served after the commencement of this Act under paragraph (d) of the said subsection (1) (which excludes rights to compensation where the landlord serves on the tenant notice offering a renewal of the tenancy on reasonable terms).

49 Restrictions on contracting out.

In section nine of the Act of 1927 (which provides that Part I of that Act shall apply notwithstanding any contract to the contrary made after the date specified in that section) the proviso (which requires effect to be given to such a contract where it appears to the tribunal that the contract was made for adequate consideration) shall cease to have effect except as respects a contract made before the tenth day of December, nineteen hundred and fifty-three.

50 Interpretation of Part III.

In this Part of this Act the expression “Act of 1927” means the ^{M1}Landlord and Tenant Act 1927, the expression “compensation” means compensation under Part I of that Act in respect of an improvement, and other expressions used in this Part of this Act and in the Act of 1927 have the same meanings in this Part of this Act as in that Act.

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Marginal Citations

M1 [1927 c. 36.](#)

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