



# Leasehold Reform, Housing and Urban Development Act 1993

## 1993 CHAPTER 28

### PART I

#### LANDLORD AND TENANT

#### CHAPTER II

#### INDIVIDUAL RIGHT OF TENANT OF FLAT TO ACQUIRE NEW LEASE

##### *Grant of new lease*

#### **59 Further renewal, but no security of tenure, after grant of new lease.**

- (1) The right to acquire a new lease under this Chapter may be exercised in relation to a lease of a flat despite the fact that the lease is itself a lease granted under section 56; and the provisions of this Chapter shall, with any necessary modifications, apply for the purposes of or in connection with any claim to exercise that right in relation to a lease so granted as they apply for the purposes of or in connection with any claim to exercise that right in relation to a lease which has not been so granted.
- (2) Where a lease has been granted under section 56—
  - (a) none of the statutory provisions relating to security of tenure for tenants shall apply to the lease;
  - (b) after the term date of the lease none of the following provisions, namely—
    - (i) section 1 of the <sup>M1</sup>Landlord and Tenant Act 1954 or Schedule 10 to the <sup>M2</sup>Local Government and Housing Act 1989 (which make provision for security of tenure on the ending of long residential tenancies), or
    - (ii) Part II of that Act of 1954 (business tenancies),shall apply to any sub-lease directly or indirectly derived out of the lease; and

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**Changes to legislation:** Leasehold Reform, Housing and Urban Development Act 1993, Section 59 is up to date with all changes known to be in force on or before 20 April 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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- (c) after that date no person shall be entitled by virtue of any such sub-lease to retain possession under—
- (i) Part VII of the <sup>M3</sup>Rent Act 1977 (security of tenure for protected tenancies etc.) or any enactment applying or extending that Part of that Act,
  - (ii) the <sup>M4</sup>Rent (Agriculture) Act 1976, or
  - (iii) Part I of the <sup>M5</sup>Housing Act 1988 (assured tenancies etc.).
- (3) Where a lease has been granted under section 56, no long lease created immediately or derivatively by way of sub-demise under the lease shall confer on the sub-tenant, as against the tenant’s landlord, any right under this Chapter to acquire a new lease (and for this purpose “long lease” shall be construed in accordance with section 7).
- (4) Any person who—
- (a) grants a sub-lease to which subsection (2)(b) and (c) will apply, or
  - (b) negotiates with a view to the grant of such a sub-lease by him or by a person for whom he is acting as agent,
- shall inform the other party that the sub-lease is to be derived out of a lease granted under section 56, unless either he knows that the other party is aware of it or he himself is unaware of it.
- (5) Where any lease contains a statement to the effect that it is a lease granted under section 56, the statement shall be conclusive for the purposes of subsections (2) to (4) in favour of any person who is not a party to the lease, unless the statement appears from the lease to be untrue.

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**Marginal Citations**

<b>M1</b>	1954 c. 56.
<b>M2</b>	1989 c. 42.
<b>M3</b>	1977 c. 42.
<b>M4</b>	1976 c. 80.
<b>M5</b>	1988 c. 50.

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

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

- s. 12A and cross-heading inserted by 2002 c. 15 s. 123(1)
- s. 12A(3)(a)(b) words substituted by S.I. 2009/1941 Sch. 1 para. 140(5)
- s. 12A(4)(a) words substituted by S.I. 2009/1941 Sch. 1 para. 140(5)
- s. 12A(4)(c) words substituted by S.I. 2009/1941 Sch. 1 para. 140(5)
- s. 13(2ZA) inserted by 2002 c. 15 s. 121(3)
- s. 13(2ZB) inserted by 2002 c. 15 s. 123(2)
- s. 13(5A) inserted by 2002 c. 15 Sch. 8 para. 6(3)
- s. 29(4A) inserted by 2002 c. 15 Sch. 8 para. 18(2)
- s. 29(4A) words added by S.I. 2003/2096 Sch. para. 20(b)
- s. 29(4A)(a) words omitted by S.I. 2003/2096 Sch. para. 20(a)
- s. 29(4A)(d) words substituted by S.I. 2009/1941 Sch. 1 para. 140(6)
- s. 70(15) inserted by 2023 asc 3 Sch. 13 para. 166(b)
- s. 78(5A)-(5C) inserted by 2008 c. 17 Sch. 12 para. 15(3)
- s. 78(7) inserted by 2008 c. 17 Sch. 12 para. 15(4)
- s. 79(2)(2A) substituted for s. 79(2) by 2002 c. 15 Sch. 10 para. 16(3)
- s. 156(4) repealed by 2014 asp 14 sch. 2 para. 7
- Sch. 20 para. 5(1A) inserted by 2008 c. 29 Sch. 9 para. 5(2)