

Changes to legislation: Landlord and Tenant Act 1954, NINTH SCHEDULE is up to date with all changes known to be in force on or before 07 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

SCHEDULES

NINTH SCHEDULE

Sections 41, 42, 56, 68.

TRANSITIONAL PROVISIONS

1, 2. F1

Textual Amendments

F1 Sch. 9 paras. 1, 2, 7, 9, 10 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XV

3 Where immediately before the commencement of this Act a person was protected by section seven of the ^{M1}Leasehold Property (Temporary Provisions) Act 1951, against the making of an order or giving of a judgment for possession or ejectment, the Rent Acts shall apply in relation to the dwelling-house to which that person's protection extended immediately before the commencement of this Act as if section fifteen of this Act had always had effect.

Marginal Citations

M1 1951 c. 38.

4 For the purposes of section twenty-six and subsection (2) of section forty of this Act a tenancy which is not such a tenancy as is mentioned in subsection (1) of the said section twenty-six but is a tenancy to which Part II of this Act applies and in respect of which the following conditions are satisfied, that is to say—

 (a) that it took effect before the commencement of this Act at the coming to an end by effluxion of time or notice to quit of a tenancy which is such a tenancy as is mentioned in subsection (1) of the said section twenty-six or is by virtue of this paragraph deemed to be such a tenancy; and

 (b) that if this Act had then been in force the tenancy at the coming to an end of which it took effect would have been one to which Part II of this Act applies; and

 (c) that the tenant is either the tenant under the tenancy at the coming to an end of which it took effect or a successor to his business,

 shall be deemed to be such a tenancy as is mentioned in subsection (1) of the said section twenty-six.

5 (1) A tenant under a tenancy which was current at the commencement of this Act shall not in any case be entitled to compensation under section thirty-seven or fifty-nine of this Act unless at the date on which he is to quit the holding the holding or part thereof has continuously been occupied for the purposes of the carrying on of the tenant's business (whether by him or by any other person) for at least five years.

 (2) Where a tenant under a tenancy which was current at the commencement of this Act would but for this sub-paragraph be entitled both to—

Changes to legislation: Landlord and Tenant Act 1954, NINTH SCHEDULE is up to date with all changes known to be in force on or before 07 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

- (a) compensation under section thirty-seven or section fifty-nine of this Act; and
- (b) compensation payable, under the provisions creating the tenancy, on the termination of the tenancy,

he shall be entitled, at his option, to the one or the other, but not to both.

- 6 (1) Where the landlord's interest in the property comprised in a tenancy which, immediately before the commencement of this Act, was terminable by less than six months' notice to quit given by the landlord belongs to or is held for the purposes of a Government Department or is held by statutory undertakers, the tenancy shall have effect as if that shorter length of notice were specified in such an agreement as is mentioned in subsection (2) or (3) of section fifty-eight of this Act, as the case may be, and the agreement were embodied in the tenancy.
- (2) The last foregoing sub-paragraph shall apply in relation to a tenancy where the landlord's interest belongs or is held as aforesaid and which, immediately before the commencement of this Act, was terminable by the landlord without notice as if the tenancy had then been terminable by one month's notice to quit given by the landlord.

7 F2

Textual Amendments

F2 Sch. 9 paras. 1, 2, 7, 9, 10 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XV

- 8 Where at the commencement of this Act any proceedings are pending on an application made before the commencement of this Act to the tribunal under section five of the ^{M2}Landlord and Tenant Act 1927, no further step shall be taken in the proceedings except for the purposes of an order as to costs; and where the tribunal has made an interim order in the proceedings under subsection (13) of section five of that Act authorising the tenant to remain in possession of the property comprised in his tenancy for any period, the tenancy shall be deemed not to have come to an end before the expiration of that period, and section twenty-four of this Act shall have effect in relation to it accordingly.

Marginal Citations

M2 1927 c. 36.

9, 10. F3

Textual Amendments

F3 Sch. 9 paras. 1, 2, 7, 9, 10 repealed by Statute Law (Repeals) Act 1976 (c. 16), Sch. 1 Pt. XV

- 11 Notwithstanding the repeal of Part II of the ^{M3}Leasehold Property (Temporary Provisions) Act 1951, where immediately before the commencement of this Act a tenancy was being continued by subsection (3) of section eleven of that Act it shall not come to an end at the commencement of this Act, and section twenty-four of this Act shall have effect in relation to it accordingly.

Changes to legislation: Landlord and Tenant Act 1954, NINTH SCHEDULE is up to date with all changes known to be in force on or before 07 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](#)

Marginal Citations

M3 [1951 c. 38.](#)

Changes to legislation:

Landlord and Tenant Act 1954, NINTH SCHEDULE is up to date with all changes known to be in force on or before 07 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.

[View outstanding changes](#)

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. 34(5) inserted by [2022 c. 46 s. 61\(5\)](#)
- s. 34A inserted by [2022 c. 46 s. 61\(2\)](#)
- s. 34B34C inserted by [2022 c. 46 s. 63](#)
- s. 63(2A)-(2C) inserted by [2022 c. 46 s. 65](#)