



BILLE UM TRIARNAL TIGHE AGUS TIONTAITHE  
(LEASU), 1942.

LANDLORD AND TENANT (AMENDMENT) BILL, 1942.

5

*Mar do tugadh isteach.*

*As introduced.*

ARRANGEMENT OF SECTIONS.

Section.

1. The Principal Act.
- 10 2. Amendment of section 46 of the Principal Act.
3. Short title and collective citation.

# BILL

*entitled*

15 AN ACT TO AMEND SECTION 46 OF THE LANDLORD AND  
TENANT ACT, 1931.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

1.—In this Act the expression “the Principal Act” means the  
Landlord and Tenant Act, 1931 (No. 55 of 1931).

The Principal  
Act.

2.—(1) Sub-section (1) of section 46 of the Principal Act is  
20 hereby amended as follows, that is to say :—

Amendment of  
section 46 of the  
Principal Act.

(a) by the insertion of the following words at the end, and as  
part of, paragraph (a) of the said sub-section, that is to  
say :—

25 “or, if not so situate, does not exceed one statute acre  
in area”, and

(b) by the insertion of the following words at the end, and as  
part of, paragraph (d) of the said sub-section, that is to  
say :—

30 “or were erected in pursuance of an agreement for  
the grant of such lease upon the erection of such per-  
manent buildings”.

(2) Where a lease is alleged in any Court to be a building lease  
as defined in sub-section (1) (as amended by this section) of section  
46 of the Principal Act by reason of the permanent buildings men-  
35 tioned in the said sub-section having been erected in pursuance of  
an agreement for the grant of such lease upon the erection of those  
buildings but express evidence of such agreement is not available,  
the following provisions shall apply and have effect, that is to  
say :—

40 (a) if it is shown to the satisfaction of the Court that the said  
buildings were erected by the person to whom the said  
lease was subsequently made, it shall be presumed that  
such agreement was in fact made and that the said  
buildings were erected in pursuance thereof;

45 (b) in any case to which the foregoing paragraph of this sub-  
section does not apply, it shall be lawful for the Court,  
if it so thinks proper on hearing such evidence as is  
available and is adduced, to presume that such agree-  
ment was in fact made and that the said buildings were  
50 erected in pursuance thereof.

3.—(1) This Act may be cited as the Landlord and Tenant  
(Amendment) Act, 1943.

Short title and  
collective citation.

(2) The Principal Act and this Act may be cited together as the  
Landlord and Tenant Acts, 1931 and 1943.

[No. 27 of 1942.]



Éire.

Éire.

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BILLE UM THIARNAI TIGHE AGUS  
TIONONTAITHE (LEASU), 1942.

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LANDLORD AND TENANT (AMENDMENT)  
BILL, 1942.

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**BILLE**

(*mar do tugadh isteach*)

*dá ngairmtear*

Acht do leasú ailt 46 den Acht um Thiarnaí  
Tighe agus Tionóntaithe, 1931.

An Act to amend section 46 of the Landlord and  
Tenant Act, 1931.

*An tAire Dlíghidh agus Cirt do thug isteach.*

*Introduced by the Minister for Justice.*

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*Do hordúíodh, ag Dáil Éireann, do chlóbhu-  
ladh, 9adh Mí na Nodlag, 1942.*

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