

AUSTRALIAN CAPITAL TERRITORY

PROPOSED REAL PROPERTY ORDINANCE 1942.

EXPLANATORY STATEMENT

No. 15 of 1942

This draft Ordinance is founded on similar provisions in the law of New South Wales and other States, and is designed to remedy the inconvenience caused by a technical rule of law.

At common law if a lease is surrendered in order that a fresh lease may be granted to the same lessee, the right of the lessee to recover rent from any sub-lessee is lost. The Ordinance provides that in such cases the sub-lessees shall continue to hold their sub-leases as if they had been granted out of the new lease.