



Isle of Man

Ellan Vannin

AT 10 of 1976

**LANDLORD AND TENANT
(MISCELLANEOUS PROVISIONS) ACT 1976**



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**Isle of Man***Ellan Vannin*

LANDLORD AND TENANT (MISCELLANEOUS PROVISIONS) ACT 1976

<i>Received Royal Assent:</i>	<i>19 May 1976</i>
<i>Passed:</i>	<i>15 June 1976</i>
<i>Commenced:</i>	<i>See endnotes</i>

AN ACT to protect occupiers against harassment and eviction without due process of law, to require the giving of rent books and information by landlords to tenants, to amend the *Landlord and Tenant Act 1954*, and related matters.

PART I – PROTECTION AGAINST HARASSMENT, AND THE PROVISION OF RENT BOOKS, ETC.

1 Unlawful eviction and harassment of occupier

[P1965/75/30]

- (1) If any person unlawfully deprives the occupier of any premises of his occupation of the premises or any part thereof or attempts to do so he shall be guilty of an offence unless he proves that he believed, and had reasonable cause to believe, that the occupier had ceased to occupy the premises.
- (2) If any person with intent to cause the occupier of any premises —
 - (a) to give up the occupation of the premises or any part thereof; or
 - (b) to refrain from exercising any right or pursuing any remedy in respect of the premises or part thereof;does any act calculated to interfere with the peace or comfort of the occupier or withdraws or withholds services reasonably required for the occupation of the premises for the purposes for which it was let, he shall be guilty of an offence.
- (3) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.¹

- (4) Nothing in this section shall be taken to prejudice any liability or remedy to which a person guilty of an offence thereunder may be subject in civil proceedings.
- (5) In this section “occupier”, in relation to any premises, means a person occupying the premises whether under a contract or by virtue of any enactment or rule of law giving him the right to remain in occupation or restricting the right of any other person to recover possession of the premises.

2 Restriction on re-entry without due process of law

[P1965/75/31]

Without prejudice to sections 11 to 13 inclusive of the *Conveyancing (Leases and Tenancies) Act 1954*, where any premises are let on a lease which is subject to a right of re-entry or forfeiture it shall not be lawful to enforce that right otherwise than by proceedings in the Court while any person is lawfully occupying the premises or part of them.

3 Prohibition of eviction without due process of law

[P1965/75/32]

- (1) Where any premises have been let and —
 - (a) the tenancy (in this section referred to as the former tenancy) has come to an end; but
 - (b) the occupier continues in occupation of the premises or part of them;

it shall not be lawful for the owner to enforce against the occupier, otherwise than by proceedings in the Court, his right to recover possession of the premises.

- (2) For the purpose of this section a person who, under the terms of his employment, had exclusive possession of any premises otherwise than as a tenant shall be deemed to have been a tenant and the expressions “let” and “tenancy” shall be construed accordingly.

- (3) In this section,

“the owner”, in relation to any premises, means the person who as against the occupier, is entitled to possession thereof; and

“the occupier” means, in relation to any premises —

- (a) the tenant under the former tenancy;
- (b) any person who occupies the said premises by reason of any enactment or rule of law restricting the right of another person to possession;

- (c) in the case where the former tenancy constituted a letting of the said premises as a dwelling, any person lawfully residing on those premises or part of them at the termination of the former tenancy.

4 Information to be supplied with a notice to quit

- (1) A notice to quit which relates to the determination of a tenancy of any premises let as a dwelling shall be void unless at the time it is served on a tenant it is accompanied by a notice in writing giving the information specified in section 6(1)(b) of this Act.
- (2) This section shall be of no effect in respect of any notice to quit served before the day on which this section takes effect.

5 Provision of rent books

[P1962/50/1]

- (1) Where a person (hereinafter in this Part of this Act referred to as a “tenant”) has a right granted to him or any predecessor in title of his by a contract or conferred by an enactment to occupy any premises as a residence in consideration of a rent, and that rent is payable monthly or at intervals of less than one month, it shall be the duty of the landlord to provide a rent book or other similar document for use in respect of the premises.
- (2) Subsection (1) above shall not apply to any premises if the rent includes payment in respect of board and the value of the board to the tenant forms a substantial proportion of the whole rent.

6 Information in rent books

- (1) The rent book or other similar document shall contain —
 - (a) the name and address of the landlord of the premises in respect of which the rent book or document is to be issued;
 - (b) a notice to the following effect, namely —

“By virtue of the Landlord and Tenant (Miscellaneous Provisions) Act 1976 your landlord cannot evict you without a court order and, without such an order, it is a criminal offence for your landlord, or anyone else, to try to make you leave by using force or harassment.

Your attention is further drawn to the following enactments under which you may be entitled to the protection of the law, namely —

the Housing (Rent Control) Act 1948;

the Landlord and Tenant Act 1954”; and²

- (c) such other matters as may be prescribed by regulations made by the Department of Infrastructure (and such regulations may make different provisions for different cases).³

- (2) Regulations made under the preceding subsection shall not have effect until they have been approved by Tynwald.

7 Information to be supplied by companies

[P1962/50/3]

- (1) Where the landlord of any premises to which subsection (1) of section 5 of this Act applies is a company, and the tenant serves on the landlord a request in writing to that effect, the landlord shall furnish to the tenant in writing particulars of the name and address of every director and of the secretary of the company.
- (2) A request by the tenant of any premises under the foregoing subsection shall be deemed to be duly served on the landlord if it is served on any agent of the landlord named as such in the rent book or other similar document or on the person who receives the rent of the premises, and any such agent or person on whom such a request is served shall as soon as may be forward it to the landlord.

8 Offences in relation to rent books

[P1962/50/4]

- (1) If the landlord of any premises to which subsection (1) of section 5 of this Act applies fails to comply with any relevant requirement of sections 5, 6 and 7 of this Act, he and (except in the case of a failure to comply with subsection (1) of section 7 of this Act and subject to subsection (5) below) any person who on his behalf demands or receives rent in respect of the premises while any such requirement is not complied with, shall be guilty of an offence.
- (2) If any person fails to comply with any requirement imposed upon him by subsection (2) of section 7 of this Act, he shall be guilty of an offence.
- (3) Any person guilty of an offence under subsection (1) or subsection (2) above shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.⁴
- (4) If any default in respect of which a landlord is convicted of an offence under subsection (1) or any other person is convicted of an offence under subsection (2) above continues for more than fourteen days after the conviction, that landlord or other person shall be deemed to have committed a further offence under that subsection in respect of that default.
- (5) If any person other than a landlord is charged with an offence under subsection (1) above, it shall be a defence for him to show that he neither knew nor had reasonable cause to suspect that any requirement such as is mentioned in that subsection had not been complied with.

9 Offences by corporations

Where an offence under this Part of this Act committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager or secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

10 Interpretation of Part I of the Act

[P1962/50/6]

- (1) In sections 5, 6, 7 and 8 of this Act the expression “**landlord**” in relation to any premises occupied by a tenant under a right granted by contract, means the person who granted that right or any successor of his, as the case may require, and in relation to any premises occupied by a tenant under a right conferred by any enactment, means the person who, apart from that right, would be entitled to possession of the premises.
- (2) In this Part of this Act “**the Court**” means the High Court.⁵

11 Limitation of operation of Part I of the Act

This Part of this Act shall be binding on a Department, a Statutory Board and a local authority only in so far as it requires the taking of proceedings in the Court for the recovery of possession but so that nothing therein shall operate so as to make a member of any of the bodies aforesaid, or any officer or servant thereof, liable to any criminal proceedings.⁶

PART II – AMENDMENTS

12 [Substitutes section 16 of the *Landlord and Tenant Act 1954*.]

13 [Repealed]⁷

PART III – GENERAL

14 [Repealed]⁸

15 Short title and commencement

- (1) This Act may be cited as the Landlord and Tenant (Miscellaneous Provisions) Act 1976.
- (2) This Act shall come into operation when the Royal Assent thereto has been by the Governor announced to Tynwald and a certificate thereof has been

signed by the Governor and the Speaker of the House of Keys but shall take effect as follows —

- (a) sections 1, 2, 3, 4, 9, 10(2), 11, 13, 14 and this section on the coming into operation of this Act;
- (b) the remaining provisions on such day as the Governor may by order appoint, being a day not later than six months beginning with the day on which this Act comes into operation, and different days may be appointed for different provisions.⁹

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement

Table of Renumbered Provisions

Original	Current

Table of Endnote References

¹ Subs (3) amended by Fines Act 1986 Sch 2 and by Fines and Penalties Act 2024 Sch 5.

² Para (b) amended by Statute Law Revision Act 1983 Sch 2 and by Statute Law Revision Act 1986 Sch 2.

³ Para (c) amended by GC192/86, by SD155/10 Sch 6, by SD2014/08 and by SD2015/0109.

⁴ Subs (3) amended by Fines Act 1986 Sch 2 and by Fines and Penalties Act 2024.

⁵ Subs (2) amended by Statute Law Revision Act 1997 Sch 2.

⁶ S 11 amended by Statute Law Revision Act 1997 Sch 1.

⁷ S 13 repealed by Statute Law Revision Act 1986 Sch 2.

⁸ S 14 repealed by Statute Law Revision Act 1997 Sch 2.

⁹ ADO (s 12) 8/7/1976; (ss 5 to 8 and 10(1)) 1/11/1976 (GC111/76).