

J. Y. Interpretation No.78 ( August 9, 1957 ) \*

**ISSUE:** What are the requisite elements for the termination of a lease whose ground is that the tenant of the farmland voluntarily renounced his right to cultivate the said farmland?

**RELEVANT LAWS:**

Article 17 of the Act Governing the Reduction of Farm Rent to 37.5 Percent ( 耕地三七五減租條例第十七條 ) .

**KEYWORDS:**

Terminate ( 終止 ) , tenant ( 承租人 ) .\*\*

**HOLDING:** Except for the situations stipulated in Article 17 of the Act Governing the Reduction of Farm Rent to 37.5 Percent, a cultivation lease can not be terminated before its expiration day. Pursuant to Article 17, Paragraph 2, of said Act, if a tenant abandons the right of cultivation voluntarily, he must have legal ground for moving or switching to another line of work.

**解釋文：**耕地租約在租佃期限未屆滿前，非有耕地三七五減租條例第十七條所定各款情形不得終止。如承租人自動放棄耕作權時，依同條第二款規定亦須確有因遷徙或轉業之正當理由。

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\* Translated by Lawrence L. C. Lee.

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