

Status: Point in time view as at 01/12/2008.

Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform Act 1967, Cross Heading: Certain leases granted by certain public authorities. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 4A

EXCLUSION OF CERTAIN SHARED OWNERSHIP LEASES

Textual Amendments

F1 Schedule 4A inserted by [Housing and Planning Act 1986 \(c. 63, SIF 75:1\)](#), s. 18, [Sch. 4 para. 6](#)

Certain leases granted by certain public authorities

- 2 (1) A lease which—
- (a) was granted at a premium by a body mentioned in sub-paragraph (2), and
 - (b) complies with the conditions set out in sub-paragraph (3),
- is excluded from the operation of this Part at any time when the interest of the landlord belongs to such a body [^{F2}, to a registered social landlord][^{F3} or to a person who acquired that interest in exercise of the right conferred by Part IV of the Housing Act 1988].
- (2) The bodies are—
- (a) a county, [^{F4}county borough,] district or London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
 - (b) ^{F5} . . . a joint authority established by Part IV of the Local Government Act ^{M1}1985;
[the London Fire and Emergency Planning Authority;]
 - ^{F6}(bb) (c) the [^{F7}new towns residuary body] or a development corporation established by an order made, or having effect as made, under the New Towns Act ^{M2}1981;
 - (d) an urban development corporation within the meaning of Part XVI of the Local Government, Planning and Land Act ^{M3}1980;
 - ^{F8}(e)
[a housing action trust established under Part III of the Housing Act 1988]
 - ^{F9}(f)
- (3) The conditions are that the lease—
- (a) provides for the tenant to acquire the freehold for a consideration which is to be calculated in accordance with the lease and which is reasonable, having regard to the premium or premiums paid by the tenant under the lease, and
 - (b) states the landlord's opinion that by virtue of this paragraph the tenancy will be excluded from the operation of this Part of this Act at any time when the interest of the landlord belongs to a body mentioned in sub-paragraph (2) above [^{F10} or to a registered social landlord].

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- (4) If, in proceedings in which it falls to be determined whether a lease complies with the condition in sub-paragraph (3)(a), the question arises whether the consideration payable by the tenant on acquiring the freehold is reasonable, it is for the landlord to show that it is.

[In this paragraph “registered social landlord” has the same meaning as in Part 1 of ^{F11}(5) the Housing Act 1996 (c. 52).]

Textual Amendments

- F2** Words in Sch. 4A para. 2(1) inserted (26.7.2002 for E. and 1.1.2003 for W.) by [2002 c. 15, s. 144\(2\)\(a\)](#); [S.I. 2002/1912, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.); [S.I. 2002/3012, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.)
- F3** Words added by [Housing Act 1988 \(c. 50, SIF 61\), s. 140, Sch. 17 para. 17\(1\)](#)
- F4** Words in Sch. 4A para. 2(2)(a) inserted (1.4.1996) by [1994 c. 19, s. 22\(2\), Sch. 8 para. 1\(2\)](#) (with [ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)](#)); [S.I. 1996/396, art. 3 Sch. 1](#)
- F5** Words repealed by [Education Reform Act 1988 \(c. 40, SIF 41:1\), ss. 231\(7\), 235\(6\), 237, Sch. 13 Pt. I](#)
- F6** Sch. 4A para. 2(bb) inserted (3.7.2000) by [1999 c. 29, s. 328\(8\), Sch. 29 Pt. I para. 9](#) (with [Sch. 12 para. 9\(1\)](#)); [S.I. 2000/1094, art. 4\(a\)\(h\)](#)
- F7** Words in Sch. 4A para. 2(2)(c) substituted (1.12.2008) by [Housing and Regeneration Act 2008 \(c. 17\), s. 325\(1\), Sch. 8 para. 12](#); [S.I. 2008/3068, art. 2\(1\)\(w\)\(3\)](#) (with [arts. 6-13](#))
- F8** Sch. 4A para. 2(2)(e) repealed (1.10.1998) by [1998 c. 38, s. 152, Sch. 18 Pt. IV](#) (with [ss. 137\(1\), 139\(2\), 141\(1\), 143\(2\)](#)); [S.I. 1998/2244, art. 4](#)
- F9** Para. 2(2)(f) added by [Housing Act 1988 \(c. 50, SIF 61\), s. 140, Sch. 17 para. 17\(2\)](#)
- F10** Words in Sch. 4A para. 2(3)(b) inserted (26.7.2002 and E. and 1.1.2003 and W.) by [2002 c. 15, s. 144\(2\)\(b\)](#); [S.I. 2002/1912, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.); [S.I. 2002/3012, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.)
- F11** Sch. 4A para. 2(5) inserted (26.7.2002 for E. and 1.1.2003 for W.) by [2002 c. 15, s. 144\(2\)\(c\)](#); [S.I. 2002/1912, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.); [S.I. 2002/3012, art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in Sch. 2 of the commencing S.I.)

Modifications etc. (not altering text)

- C1** Sch. 4A para. 2 extended (5.7.1994) by [1994 c. 19, ss. 39, 66\(2\)\(b\), Sch. 13 para. 24\(c\)](#) (with [ss. 54\(5\)\(7\), 55\(5\), Sch. 17 paras. 22\(1\), 23\(2\)](#))

Marginal Citations

- M1** [1985 c.51 \(81:1\)](#).
- M2** [1981 c.64 \(123:3\)](#).
- M3** [1980 c.65 \(123:1, 2\)](#).

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