

These Regulations correct an error in the Leasehold Houses (Notice of Insurance Cover) (England) Regulations 2004 and are being issued, free of charge, to all known recipients of those Regulations.

STATUTORY INSTRUMENTS

2005 No. 177

LANDLORD AND TENANT, ENGLAND

The Leasehold Houses (Notice of Insurance Cover) (England) (Amendment) Regulations 2005

<i>Made</i>	- - - -	<i>31st January 2005</i>
<i>Laid before Parliament</i>		<i>7th February 2005</i>
<i>Coming into force</i>	- -	<i>28th February 2005</i>

The First Secretary of State, in exercise of the powers conferred by section 164(5)(d) and (6)(a) of the Commonhold and Leasehold Reform Act 2002⁽¹⁾, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Leasehold Houses (Notice of Insurance Cover) (England) (Amendment) Regulations 2005 and shall come into force on 28th February 2005.

Amendment of Regulations

2. The Leasehold Houses (Notice of Insurance Cover) (England) Regulations 2004⁽²⁾ are amended by the substitution, for paragraph 10 of the Schedule, of the following paragraph—

“10. I/We have no reason to believe that the policy does not cover your interests.”.

(1) 2002 c. 15. See the definition of “prescribed” in section 164(10). By virtue of section 179(1), the Secretary of State is “the appropriate national authority” as respects England. (The powers conferred by section 164(5)(d) and (6)(a) are exercisable, as respects Wales, by the National Assembly for Wales by virtue of the definition of “prescribed” and section 179(1).)

(2) S.I. 2004/3097.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the First Secretary of State

31st January 2005

Keith Hill
Minister of State Office of the Deputy Prime
Minister

EXPLANATORY NOTE

(This note is not part of the Regulations)

Where a long lease of a house requires the tenant to insure it with an insurer nominated or approved by the landlord, a tenant may avoid that requirement if the provisions of section 164(2)(a) to (d) of the Commonhold and Leasehold Reform Act 2002 are satisfied and he gives a notice of cover to the landlord within the period specified in that section. A notice of cover must specify the name of the insurer, the risks covered by the policy, the amount and period of the cover and the further information prescribed by regulation 3 of the Leasehold Houses (Notice of Insurance Cover) (England) Regulations 2004 (“the principal Regulations”).

These Regulations amend the principal Regulations by substituting paragraph 10 of the Schedule to those Regulations. That Schedule sets out the prescribed form of notice of cover, and paragraph 10 contains wording relevant to the requirement in regulation 3(j) of the principal Regulations that the notice of cover must specify that the tenant has no reason to believe that the policy does not cover the interests of the landlord.

The amendment made by these Regulations has the effect of removing square brackets, which had been inserted in paragraph 10 in error and gave the misleading impression that the paragraph could be omitted from a notice of cover.