
STATUTORY INSTRUMENTS

2010 No. 825

**The Right to Manage (Prescribed Particulars
and Forms) (England) Regulations 2010**

Additional content of counter-notice

5. A counter-notice shall contain (in addition to the statement referred to in paragraph (a) or (b) of section 84(2) (counter-notices) of the 2002 Act)—

- (a) a statement that, where the RTM company has been given one or more counter-notices containing such a statement as is mentioned in paragraph (b) of section 84(2) of the 2002 Act, the company may apply to a leasehold valuation tribunal for a determination that, on the date on which notice of the claim was given, the company was entitled to acquire the right to manage the premises specified in the claim notice;
- (b) a statement that, where the RTM company has been given one or more counter-notices containing such a statement as is mentioned in paragraph (b) of section 84(2) of the 2002 Act, the company does not acquire the right to manage the premises specified in the claim notice unless—
 - (i) on an application to a leasehold valuation tribunal, it is finally determined⁽¹⁾ that the company was entitled to acquire the right to manage the premises; or
 - (ii) the person by whom the counter-notice was given agrees, or the persons by whom the counter-notices were given agree, in writing that the company was so entitled; and
- (c) the information provided in the notes to the form set out in Schedule 3 to these Regulations.

⁽¹⁾ See section 84(7) and (8) of the 2002 Act.