



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 2

#### LEASEHOLD REFORM

#### CHAPTER 2

##### COLLECTIVE ENFRANCHISEMENT BY TENANTS OF FLATS

##### *Qualifying rules*

#### **116 Premises including railway track**

In section 4 of the 1993 Act (premises in the case of which right does not apply), insert at the end—

“(5) This Chapter does not apply to premises falling within section 3(1) if the freehold of the premises includes track of an operational railway; and for the purposes of this subsection—

- (a) “track” includes any land or other property comprising the permanent way of a railway (whether or not it is also used for other purposes) and includes any bridge, tunnel, culvert, retaining wall or other structure used for the support of, or otherwise in connection with, track,
- (b) “operational” means not disused, and
- (c) “railway” has the same meaning as in any provision of Part 1 of the Railways Act 1993 (c. 43) for the purposes of which that term is stated to have its wider meaning.”

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**Status:** Point in time view as at 01/10/2009.

**Changes to legislation:** Commonhold and Leasehold Reform Act 2002, Section 116 is up to date with all changes known to be in force on or before 07 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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### Commencement Information

- II** S. 116 wholly in force at 1.1.2003; s. 116 not in force at Royal Assent, see s. 181(1); s. 116 in force at 26.7.2002 for E. by S.I. 2002/1912, **art. 2(b)(i)** (subject to transitional provisions and savings in Sch. 2); s. 116 in force at 1.1.2003 for W. by S.I. 2002/3012, **art. 2(b)(i)** (subject to transitional provisions and savings in Sch. 2)

**Status:**

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