



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Variation of leases

162 Grounds for application by party to lease

- (1) Section 35 of the 1987 Act (application by party to lease for variation of lease) is amended as follows.
- (2) In subsection (2) (grounds for application), for paragraph (b) substitute—
 - “(b) the insurance of the building containing the flat or of any such land or building as is mentioned in paragraph (a)(iii);”.
- (3) After paragraph (f) of that subsection insert—
 - “(g) such other matters as may be prescribed by regulations made by the Secretary of State.”
- (4) After subsection (3) insert—
 - “(3A) For the purposes of subsection (2)(e) the factors for determining, in relation to a service charge payable under a lease, whether the lease makes satisfactory provision include whether it makes provision for an amount to be payable (by way of interest or otherwise) in respect of a failure to pay the service charge by the due date.”

Status: This is the original version (as it was originally enacted).

- (5) In section 53(2)(b) of the 1987 Act (regulations subject to negative Parliamentary procedure), after “section 20(4)” insert “or 35(2)(g)”.