



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Variation of leases

163 Transfer of jurisdiction of court to tribunal

- (1) Part 4 of the 1987 Act (variation of leases) is amended as follows.
- (2) In section 35 (application by party to lease for variation of lease)—
 - (a) in subsection (1), for “the court” substitute “ a leasehold valuation tribunal ”, and
 - (b) in subsection (5), for “Rules of court” substitute “ Procedure regulations under Schedule 12 to the Commonhold and Leasehold Reform Act 2002 ”.
- (3) In section 36(1) (application by respondent for variation of other leases), for “court” substitute “ tribunal ”.
- (4) In section 37(1) (application by majority of parties for variation of leases), for “the court” substitute “ a leasehold valuation tribunal ”.
- (5) In section 38 (orders varying leases)—
 - (a) in subsections (1) to (5), for “court” (in each place) substitute “ tribunal ”,
 - (b) in subsection (6)—
 - (i) for “The court” substitute “ A tribunal ”, and

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Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 163. (See end of Document for details)

- (ii) for “the court” substitute “ the tribunal ”,
- (c) in subsections (7) to (9), for “The court” substitute “ A tribunal ”, and
- (d) in subsection (10)—
 - (i) for “the court”, in the first place, substitute “ a tribunal ”, and
 - (ii) for “the court”, in the other two places, substitute “ the tribunal ”.
- (6) In section 39 (applications by third parties for orders varying leases)—
 - (a) in subsection (3)(b), for “the court” substitute “ a leasehold valuation tribunal ”,
 - (b) in subsection (4), for “The court” substitute “ A tribunal ”, and
 - (c) in subsection (5)(b), for “court” substitute “ tribunal ”.
- (7) In section 40(1) (variation of insurance provisions of dwelling other than flat), for “the court” substitute “ a leasehold valuation tribunal ”.
- (8) In consequence of the preceding provisions, in section 52(2)(a) of the 1987 Act (jurisdiction of county courts), for “, 3 and 4” substitute “ and 3 ”.

Commencement Information

- II** [S. 163](#) wholly in force at 30.3.2004; [s. 163](#) not in force at Royal Assent see [s. 181\(1\)](#); [s. 163](#) in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); [s. 163](#) in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

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