



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2 **E+W**

LEASEHOLD REFORM

CHAPTER 1 **E+W**

RIGHT TO MANAGE

Acquisition of right

91 Notices relating to management contracts **E+W**

- (1) Section 92 applies where—
 - (a) the right to manage premises is to be acquired by a RTM company (otherwise than by virtue of an order under section 85), and
 - (b) there are one or more existing management contracts relating to the premises.
- (2) A management contract is a contract between—
 - (a) an existing manager of the premises (referred to in this Chapter as the “manager party”), and
 - (b) another person (so referred to as the “contractor party”),under which the contractor party agrees to provide services, or do any other thing, in connection with any matter relating to a function which will be a function of the RTM company once it acquires the right to manage.
- (3) And in this Chapter “existing management contract” means a management contract which—
 - (a) is subsisting immediately before the determination date, or

Changes to legislation: Commonhold and Leasehold Reform Act 2002, Section 91 is up to date with all changes known to be in force on or before 25 July 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) View outstanding changes

- (b) is entered into during the period beginning with the determination date and ending with the acquisition date.
- (4) An existing manager of the premises is any person who is—
- (a) landlord under a lease relating to the whole or any part of the premises,
 - (b) party to such a lease otherwise than as landlord or tenant, or
 - (c) a manager appointed under Part 2 of the 1987 Act to act in relation to the premises, or any premises containing or contained in the premises.
- (5) In this Chapter “determination date” means—
- (a) where there is no dispute about entitlement, the date specified in the claim notice under section 80(6),
 - (b) where the right to manage the premises is acquired by the company by virtue of a determination under section 84(5)(a), the date when the determination becomes final, and
 - (c) where the right to manage the premises is acquired by the company by virtue of subsection (5)(b) of section 84, the day on which the person (or the last person) by whom a counter-notice containing a statement such as is mentioned in subsection (2)(b) of that section was given agrees in writing that the company was on the relevant date entitled to acquire the right to manage the premises.

Commencement Information

- II** S. 91 wholly in force at 30.3.2004; s. 91 not in force at Royal Assent see s. 181(1); s. 91 wholly in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); s. 91 wholly in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

Changes to legislation:

Commonhold and Leasehold Reform Act 2002, Section 91 is up to date with all changes known to be in force on or before 25 July 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.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(4)(5) inserted by [2024 c. 22 s. 50\(2\)\(b\)](#)
- s. 87A87B inserted by [2024 c. 22 s. 50\(3\)](#)
- s. 107(3)(4) inserted by [2024 c. 22 s. 51\(3\)](#)
- s. 172(1)(i) and word inserted by [2024 c. 22 s. 62\(5\)\(b\)](#)
- Sch. 11 para. 5B applied by 1985 c. 70, s. 30J(4) (as inserted) by [2024 c. 22 s. 63](#)
- Sch. 11 para. 4A4B and cross-heading inserted by [2024 c. 22 s. 61\(b\)](#)
- Sch. 11 para. 5B5C and cross-heading inserted by [2024 c. 22 s. 62\(7\)\(b\)](#)