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Changes to legislation: There are currently no known outstanding effects for the
Leasehold and Freehold Reform Act 2024, Schedule 9. (See end of Document for details)

PROSPECTIVE

SCHEDULES

SCHEDULE 9

Section 47

PART 2: CONSEQUENTIAL AMENDMENTS TO OTHER LEGISLATION

Parliamentary Commissioner Act 1967

- 1 In Schedule 4 to the Parliamentary Commissioner Act 1967 (relevant tribunals), in the entry relating to rent assessment committees, omit “and also known as leasehold valuation tribunals for the purpose of determinations pursuant to section 21(1), (2) and (3) of the Leasehold Reform Act 1967”.

Commencement Information

- I1** Sch. 9 para. 1 not in force at Royal Assent, see [s. 124\(3\)](#)

Leasehold Reform Act 1979

- 2 In section 1 of the Leasehold Reform Act 1979 (price of enfranchisement under the LRA 1967 not to be made less favourable by reference to superior interest), in subsection (1), after “the price payable on a conveyance for giving effect to that section” insert “, in a case where the price payable is determined under section 9(1) of that Act by virtue of section [7A](#) of that Act,”.

Commencement Information

- I2** Sch. 9 para. 2 not in force at Royal Assent, see [s. 124\(3\)](#)

Local Government Act 1985

- 3 In Schedule 13 to the Local Government Act 1985 (residuary bodies)—
- (a) in paragraph 14(aa), at the end insert “, where it applies by virtue of section [7A](#) or [32\(5\)](#) of that Act”;
 - (b) omit paragraph 17.

Commencement Information

- I3** Sch. 9 para. 3 not in force at Royal Assent, see [s. 124\(3\)](#)

Housing Act 1985

- 4 In the Housing Act 1985—

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- (a) in section 115 (meaning of “long tenancy”)—
- (i) for subsection (2)(c) substitute—
- “(c) at the time it is granted, it complies with the specified requirements.”;
- (ii) after subsection (2) insert—
- “(3) The “specified requirements” are—
- (a) in the case of a tenancy granted before 11 December 1987, the requirements of the Housing (Exclusion of Shared Ownership Tenancies from the Leasehold Reform Act 1967) Regulations 1982 (S.I. 1982/62) (including where the tenancy was granted before those regulations came into force);
- (b) in the case of a tenancy granted on or after 11 December 1987 and before the 2024 Act commencement day, the requirements in paragraph 2 of Schedule 2 to the Housing Association Shared Ownership Leases (Exclusion from Leasehold Reform Act 1967 and Rent Act 1977) Regulations 1987 (S.I. 1987/1940);
- (c) in the case of a tenancy granted on or after the 2024 Act commencement day, requirements specified in regulations made by the appropriate authority.
- (4) The “2024 Act commencement day” is the day on which paragraph 11 of Schedule 8 to the Leasehold and Freehold Reform Act 2024 comes into force.
- (5) “The appropriate authority” means—
- (a) in relation to England, the Secretary of State;
- (b) in relation to Wales, the Welsh Ministers.
- (6) Regulations under subsection (3)(c)—
- (a) are to be made by statutory instrument;
- (b) may make provision generally or only in relation to specific cases;
- (c) may make different provision for different purposes or different areas;
- (d) may include supplementary, incidental, transitional or saving provision.
- (7) A statutory instrument containing regulations under this section is subject to annulment in pursuance of—
- (a) where it contains regulations made by the Secretary of State, a resolution of either House of Parliament;
- (b) where it contains regulations made by the Welsh Ministers, a resolution of Senedd Cymru.”;

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- (b) omit section 175 (determination of price payable on enfranchisement under LRA 1967 where tenancy created under right to buy).

Commencement Information

I4 Sch. 9 para. 4 not in force at Royal Assent, see [s. 124\(3\)](#)

Landlord and Tenant Act 1985

- 5 In section 26 of the LTA 1985 (exception to service charge restrictions for public authority tenants)—
- (a) for subsection (3)(c) substitute—
- “(c) at the time it is granted it complies with the specified requirements.”;
- (b) after subsection (3) insert—
- “(4) The “specified requirements” are—
- (a) in the case of a tenancy granted before 11 December 1987, the requirements of the Housing (Exclusion of Shared Ownership Tenancies from the Leasehold Reform Act 1967) Regulations 1982 ([S.I. 1982/62](#)) (including where the tenancy was granted before those regulations came into force);
- (b) in the case of a tenancy granted on or after 11 December 1987 and before the 2024 Act commencement day, the requirements in paragraph 2 of Schedule 2 to the Housing Association Shared Ownership Leases (Exclusion from Leasehold Reform Act 1967 and Rent Act 1977) Regulations 1987 ([S.I. 1987/1940](#));
- (c) in the case of a tenancy granted on or after the 2024 Act commencement day, requirements specified in regulations made by the appropriate authority.
- (5) The “2024 Act commencement day” is the day on which paragraph 11 of Schedule 8 to the Leasehold and Freehold Reform Act 2024 comes into force.
- (6) Regulations under subsection (4)(c)—
- (a) are to be made by statutory instrument;
- (b) may make provision generally or only in relation to specific cases;
- (c) may make different provision for different purposes or different areas;
- (d) may include supplementary, incidental, transitional or saving provision.
- (7) A statutory instrument containing regulations under this section is subject to the negative procedure.”

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Commencement Information

I5 Sch. 9 para. 5 not in force at Royal Assent, see [s. 124\(3\)](#)

Housing and Planning Act 1986

6 In Schedule 4 to the Housing and Planning Act 1986 (shared ownership leases), in paragraph 11 (transitional provisions and savings)—

- (a) in sub-paragraph (1), at the end insert “, subject to sub-paragraphs (1A) and (2)”;
- (b) for sub-paragraph (2) substitute—

“(1A) The amendment made by paragraph 7 (repeal of section 140 of the Housing Act 1980) also applies in relation to leases granted before the commencement of this Schedule, except in cases where, under section 7A or 32(5) of the Leasehold Reform Act 1967, the Leasehold Reform Act 1967 has effect without the amendments made by the Leasehold and Freehold Reform Act 2024.

(2) In those cases, this Schedule does not affect the operation of section 140 of the Housing Act 1980, the enactments applying that section or regulations made under it.”

Commencement Information

I6 Sch. 9 para. 6 not in force at Royal Assent, see [s. 124\(3\)](#)

Housing Act 1988

7 In Schedule 17 to the Housing Act 1988 (minor and consequential amendments)—

- (a) omit paragraph 40;
- (b) omit paragraph 68.

Commencement Information

I7 Sch. 9 para. 7 not in force at Royal Assent, see [s. 124\(3\)](#)

Local Government and Housing Act 1989

8 In paragraph 5 of Schedule 10 to the Local Government and Housing Act 1989 (security of tenure for long residential leases)—

- (a) in sub-paragraph (4), for the words from “unless” to the end substitute “unless—
 - (a) the landlord is a relevant authority, and
 - (b) the premises are required for relevant development.”;
- (b) after sub-paragraph (4) insert—

“(4A) For those purposes—

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- (a) “relevant authority” means a person referred to in any paragraph of section 38(2) of the Leasehold Reform Act 1967;
- (b) “relevant development”—
 - (i) in relation to a relevant authority other than a health authority, means development for the purposes (other than investment purposes) of that body;
 - (ii) in relation to a relevant authority that is a health authority, means development for the purposes of the National Health Service Act 2006 or the National Health Service (Wales) Act 2006;
 - (iii) in relation to a relevant authority that is a university body, also includes development for the purposes of any related university body;
 - (iv) in relation to a relevant authority that is a local authority, also includes area development;
- (c) “health authority” means—
 - (i) NHS England;
 - (ii) any integrated care board;
 - (iii) any Local Health Board;
 - (iv) any Special Health Authority;
 - (v) any National Health Service trust;
 - (vi) any NHS foundation trust;
 - (vii) any clinical commissioning group;
 - (viii) any Strategic Health Authority;
 - (ix) any Primary Care Trust;
- (d) “university body” and “related university body” have the same meaning as in section 29(6ZA) of the Leasehold Reform Act 1967;
- (e) “local authority” has the same meaning as in section 29(5) of the Leasehold Reform Act 1967;
- (f) “area development” means any development to be undertaken, whether or not by a local authority, in order to secure—
 - (i) the development or redevelopment of an area defined by a development plan under the Planning and Compulsory Purchase Act 2004 as an area of comprehensive development;
 - (ii) the treatment as a whole, by development, redevelopment or improvement, or partly by one and partly by another method, of any area in which the premises are situated.”

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Commencement Information

I8 Sch. 9 para. 8 not in force at Royal Assent, see [s. 124\(3\)](#)

Local Government (Wales) Act 1994

- 9 In Schedule 13 to the Local Government (Wales) Act 1994, in paragraph 24—
- (a) omit paragraph (b);
 - (b) in paragraph (c), at the end insert “, where it applies by virtue of section [7A](#) or [32\(5\)](#) of that Act”.

Commencement Information

I9 Sch. 9 para. 9 not in force at Royal Assent, see [s. 124\(3\)](#)

Housing Act 1996

- 10 In the Housing Act 1996—
- (a) omit section 109 (collective enfranchisement: valuation);
 - (b) omit section 110 (lease extension for flats: valuation);
 - (c) in Schedule 10 (consequential amendments)—
 - (i) in paragraph 6, omit sub-paragraph (4);
 - (ii) omit paragraph 18;
 - (d) in Schedule 11 (compensation for postponement of termination in connection with ineffective claims)—
 - (i) in paragraph 2, omit sub-paragraph (2);
 - (ii) in paragraph 3, omit sub-paragraph (2).

Commencement Information

I10 Sch. 9 para. 10 not in force at Royal Assent, see [s. 124\(3\)](#)

Commonhold and Leasehold Reform Act 2002

- 11 In the CLRA 2002—
- (a) omit section 126 (collective enfranchisement: valuation date);
 - (b) omit section 127 (collective enfranchisement: freeholder’s share of marriage value);
 - (c) omit section 128 (collective enfranchisement: disregard of marriage value for very long leases);
 - (d) in section 130 (lease extension for flats: residence test), omit subsection (2);
 - (e) omit section 132 (lease extension for flats: personal representatives);
 - (f) omit section 134 (lease extension for flats: valuation date);
 - (g) omit section 135 (lease extension for flats: freeholder’s share of marriage value);

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- (h) omit section 136 (lease extension for flats: disregard of marriage value for very long leases);
- (i) in Schedule 13 (leasehold valuation tribunals), omit paragraph 15.

Commencement Information

I11 Sch. 9 para. 11 not in force at Royal Assent, see [s. 124\(3\)](#)

Finance Act 2003

12 In the Finance Act 2003—

- (a) in Schedule 4 (stamp duty land tax: chargeable consideration), for paragraph 16C substitute—

“16C The following do not count as chargeable consideration—

- (a) costs borne by the purchaser under section 9(4) of the Leasehold Reform Act 1967, where it applies by virtue of section 7A of that Act;
 - (b) any amount payable by the purchaser under section 19C of the Leasehold Reform Act 1967;
 - (c) any amount payable by the purchaser under section 89C or 89D of the Leasehold Reform, Housing and Urban Development Act 1993.”;
- (b) in Schedule 17A (leases: further provision), in paragraph 10 (tenants’ obligations etc that do not count as chargeable consideration), for subparagraph (1)(f) substitute—
 - “(f) any liability of the tenant for costs under section 14(2) of the Leasehold Reform Act 1967, where it applies by virtue of section 32(5) of that Act;
 - (fa) any amount payable by the tenant under section 19C of the Leasehold Reform Act 1967 or section 89F of the Leasehold Reform, Housing and Urban Development Act 1993.”.

Commencement Information

I12 Sch. 9 para. 12 not in force at Royal Assent, see [s. 124\(3\)](#)

Companies Act 2006

13 In section 1181 of the Companies Act 2006 (access to constitutional documents of RTE and RTM companies)—

- (a) in the heading, omit “RTE and”;
- (b) in subsection (1), omit paragraph (a);
- (c) in subsection (4), omit the definition of “RTE companies”.

Commencement Information

I13 Sch. 9 para. 13 not in force at Royal Assent, see [s. 124\(3\)](#)

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Enterprise and Regulatory Reform Act 2013

- 14 In section 84 of the Enterprise and Regulatory Reform Act 2013 (redress schemes: property management work), in subsection (10), omit the words from “or which” to the end.

Commencement Information

I14 Sch. 9 para. 14 not in force at Royal Assent, see [s. 124\(3\)](#)

Immigration Act 2014

- 15 In Schedule 3 to the Immigration Act 2014 (excluded residential tenancy agreements), in paragraph 13(2)(a), omit the words from “or which” to the end.

Commencement Information

I15 Sch. 9 para. 15 not in force at Royal Assent, see [s. 124\(3\)](#)

Consumer Rights Act 2015

- 16 In section 88 of the Consumer Rights Act 2015 (duty of letting agents to publicise fees: supplementary provisions), in subsection (1), in the definition of “long lease”, omit paragraph (a)(ii) and the “or” preceding it.

Commencement Information

I16 Sch. 9 para. 16 not in force at Royal Assent, see [s. 124\(3\)](#)

Housing and Planning Act 2016

- 17 In Schedule 10 to the Housing and Planning Act 2016 (leasehold enfranchisement and extension: calculations)—
- (a) omit paragraph 4;
 - (b) omit paragraph 5.

Commencement Information

I17 Sch. 9 para. 17 not in force at Royal Assent, see [s. 124\(3\)](#)

Tenant Fees Act 2019

- 18 In section 28 of the Tenant Fees Act 2019 (interpretation), in subsection (1), in the definition of “long lease”, omit paragraph (b) and the “or” preceding it.

Commencement Information

I18 Sch. 9 para. 18 not in force at Royal Assent, see [s. 124\(3\)](#)

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Building Safety Act 2022

- 19 In Schedule 8 to the BSA 2022 (remediation costs), in paragraph 6 (permitted maximum)—
- (a) in sub-paragraph (5), omit “total” in each place it occurs;
 - (b) in sub-paragraph (8)—
 - (i) for “total” substitute “tenant’s”;
 - (ii) for “section 7” substitute “section 101(1)”.

Commencement Information

I19 Sch. 9 para. 19 not in force at Royal Assent, see [s. 124\(3\)](#)

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