
EXPLANATORY NOTE

(This note is not part of the Order)

These Regulations amend the Leasehold Reform (Collective Enfranchisement and Lease Renewal) Regulations 1993 which set out the procedure to be followed in relation to applications for collective enfranchisement and lease renewal made under the Leasehold Reform, Housing and Urban Development Act 1993 (“the 1993 Act”). These Regulations will apply to such applications made on or after the date the Regulations come into force.

The amendments are consequential to amendments made to sections 13 and 39 of the 1993 Act by section 120 and Schedule 14 of the Commonhold and Leasehold Reform Act 2002 (c. 15) abolishing the residence test: one of the qualifying rules for tenants making claims for collective enfranchisement and lease renewal which required the tenant to have occupied the flat as his only or principal home for the last twelve months or for periods amounting to three years in the last ten years. In respect of lease renewal, the test has been replaced with a requirement that the tenant has to have been a long leaseholder of the flat for two years.