

STATUTORY INSTRUMENTS

2022 No. 711

The Building Safety (Leaseholder Protections) (England) Regulations 2022

Citation, commencement, extent and application, and interpretation

1.—(1) These Regulations may be cited as the Building Safety (Leaseholder Protections) (England) Regulations 2022 and come into force on 20th July 2022.

(2) These Regulations extend to England and Wales and apply in England only.

(3) In these Regulations—

“the Act” means the Building Safety Act 2022;

[^{F1}“current landlord” means a person who is the landlord under a lease of premises in a relevant building;]

[^{F2}“landlord group” has the meaning given in paragraph 3(4) of Schedule 8 to the Act;]

“leaseholder” means a tenant under a lease of a dwelling in a building;

[^{F3}“named manager” means, in relation to a building, a person who is named in a lease as being the party with managing and repairing obligations in relation to the building or part of the building and who is a separate legal person from the freeholder of the building and the landlord of the building or part of the building;]

“remediation service charge” means a service charge⁽¹⁾ which includes a charge in respect of a relevant measure⁽²⁾ relating to any relevant defect⁽³⁾;

[^{F4}“RMC” means a body corporate which is party to a lease of a building where—

(a) the body corporate is limited by guarantee and the members of that body are tenants under leases of dwellings in the building (“leaseholders”), or

(b) the majority of the shares of the body corporate are held by leaseholders; and]

“RTM company” has the same meaning as in the Commonhold and Leasehold Reform Act 2002⁽⁴⁾.

Textual Amendments

F1 Words in reg. 1(3) substituted (5.8.2023) by [The Building Safety \(Leaseholder Protections etc.\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/895\)](#), regs. 1(1), **10(a)**

F2 Words in reg. 1(3) inserted (5.8.2023) by [The Building Safety \(Leaseholder Protections etc.\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/895\)](#), regs. 1(1), **10(b)**

F3 Words in reg. 1(3) inserted (5.8.2023) by [The Building Safety \(Leaseholder Protections etc.\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/895\)](#), regs. 1(1), **10(c)**

(1) See (by virtue of paragraph 1 of Schedule 8 to the Act) the meaning of “service charge” given by section 18 of the Landlord and Tenant Act 1985 (c. 70).

(2) See paragraph 1 of Schedule 8 to the Act for the definition of “relevant measure”.

(3) See section 120 of the Act for the definition of “relevant defect”.

(4) 2002 c. 15. See sections 71 to 74.

Changes to legislation: There are currently no known outstanding effects for the The Building Safety (Leaseholder Protections) (England) Regulations 2022, Section 1. (See end of Document for details)

F4 Words in [reg. 1\(3\)](#) substituted (5.8.2023) by [The Building Safety \(Leaseholder Protections etc.\) \(England\) \(Amendment\) Regulations 2023 \(S.I. 2023/895\)](#), regs. [1\(1\)](#), [10\(d\)](#)

Commencement Information

I1 Reg. 1 in force at 20.7.2022, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Building Safety (Leaseholder Protections) (England) Regulations 2022, Section 1.