

Leasehold and Freehold Reform Bill

LORDS AMENDMENTS

[The page and line references are to HL Bill 50, the Bill as first printed for the House of Lords]

Clause 12

- 1 Clause 12, page 7, line 11, leave out “registration” and insert “completion by registration”
- 2 Clause 12, page 7, line 17, leave out “registered” and insert “completed by registration”
- 3 Clause 12, page 7, line 28, leave out “registered” and insert “completed by registration”

Before Clause 24

- 4 Before Clause 24, insert the following new Clause –

“Part 1: Crown application

This Part binds the Crown.”

Clause 27

- 5 Clause 27, page 18, line 8, at end insert –
 - “(ca) in section 23 (agreements excluding or modifying rights of tenant), in subsection (2)(b), omit the words from “or any provision” to “or any part of it”;

Clause 41

- 6 Clause 41, page 51, line 10, at beginning insert “the appropriate tribunal may”

Clause 45

7 Clause 45, page 55, line 37, at end insert –

- “(4) Subsection (1) does not apply in any of the following cases –
- (a) the tenancy was created by the grant of a lease under Part 5 of the Housing Act 1985 (a “right to buy lease”);
 - (b) the tenancy is, by virtue of section 3(3), treated as a single tenancy with a tenancy created by the grant of a right to buy lease;
 - (c) the tenancy is a sub-tenancy directly or indirectly derived out of a tenancy falling within paragraph (a) or (b);
 - (d) the tenancy was granted under this Part in substitution for a tenancy or sub-tenancy falling within paragraph (a), (b) or (c).”

After Clause 45

8 After Clause 45, insert the following new Clause –

“Part 2: consequential amendments to other legislation

Schedule (*Part 2: consequential amendments to other legislation*) contains amendments to other legislation that are consequential on this Part.”

Clause 51

9 Clause 51, page 59, line 15, leave out “as follows” and insert “in accordance with subsections (2) to (6)”

10 Clause 51, page 60, line 19, at end insert –

- “(7) The Landlord and Tenant Act 1987 (“the LTA 1987”) is amended in accordance with subsections (8) to (10).
- (8) In the provisions referred to in subsection (9), in each place they occur –
- (a) for “service charge” substitute “variable service charge”;
 - (b) for “service charges” substitute “variable service charges”.
- (9) The provisions are –
- (a) in section 24 (appointment of manager by tribunal), subsections (2) and (2A);
 - (b) in section 35 (application by party to lease for variation of lease), subsections (2) and (4);
 - (c) in section 42 (service charge contributions to be held in trust), the heading and subsections (1), (2), (3), (4), (6), and (8).
- (10) In section 35(8), for ““service charge” has the meaning” substitute ““service charge” and “variable service charge” have the meaning”.
- (11) In section 167 of the CLRA 2002 (failure to pay small amount for short period) –

- (a) in subsection (1), for “service charges” substitute “variable service charges”;
- (b) in subsection (5), for “service charge” substitute “variable service charge”.

Clause 53

- 11 Clause 53, page 62, line 28, leave out “the Landlord and Tenant Act 1987 (“the LTA 1987”)” and insert “the LTA 1987”

Clause 54

- 12 Clause 54, page 63, line 21, leave out paragraph (b) and insert—
- “(b) that, on or before the account date for an accounting period in respect of which a statement of account is provided, the landlord must provide the tenant with a written report about the statement prepared by a qualified accountant, which—
 - (i) is prepared in accordance with specified standards for the review of financial information, and
 - (ii) includes a statement by the accountant, in a specified form and manner, that the report is a faithful representation of what it purports to represent;
 - (c) that the landlord must provide adequate accounts, receipts or other documents or explanations to the accountant to enable them to provide the report;
 - (d) that, if the landlord incurs costs in obtaining the report, the tenant must pay the landlord a fair and reasonable contribution to those costs.”
- 13 Clause 54, page 63, line 36, at end insert—
- “(4A) An amount payable under the term implied by subsection (2)(d)—
 - (a) is a variable service charge for the purposes of section 18, and the provisions of this Act relating to service charges apply accordingly;
 - (b) is payable irrespective of whether a lease, contract or other arrangement provides for it to be payable as a service charge.”

- 14 Clause 54, page 65, line 7, leave out “certification of” and insert “report on”

- 15 Clause 54, page 65, line 8, at end insert—
- “(aa) for subsection (2) substitute—
 - “(2) A person has the necessary qualification if the person—
 - (a) is eligible for appointment as a statutory auditor under Part 42 of the Companies Act 2006, or

- (b) satisfies such other requirement or requirements as may be specified in regulations made by the appropriate authority.”;”

16 Clause 54, page 65, line 10, at end insert –

“(c) after subsection (6) insert –

“(7) Regulations under this section –

- (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;
- (d) may include supplementary, incidental, transitional or saving provision.

- (8) A statutory instrument containing regulations under this section (whether alone or with other provision) is subject to the affirmative procedure.””

Clause 60

17 Clause 60, page 77, line 29, at end insert –

“(6A) See section 20CB for powers of the appropriate authority to provide for other exceptions to subsection (1).”

18 Clause 60, page 78, line 40, at end insert –

“20CB Section 20CA: powers to provide for exceptions

- (1) The appropriate authority may by regulations provide for circumstances in which –
 - (a) section 20CA(1) does not apply, or
 - (b) the effect of section 20CA(1) is to be suspended until an event of a specified description occurs.
- (2) The circumstances may include, among other things, that –
 - (a) the litigation costs,
 - (b) the relevant proceedings, or
 - (c) the landlord,
 are of a specified description.
- (3) Where, by virtue of regulations under subsection (1)(b), the effect of section 20CA(1) is suspended until an event of a specified description occurs –
 - (a) section 20CA(1) does not have effect before the event, but
 - (b) section 20CA(1) does have effect on or after the event in relation to a variable service charge paid or payable before the event.

- (4) Accordingly, if—
- (a) a variable service charge was paid before the event, and
 - (b) the landlord’s litigation costs were regarded as relevant costs to be taken into account in determining the amount of that charge until the event because the effect of section 20CA(1) was suspended,
- the landlord may retain the amount of those costs after the event only if the relevant court or tribunal makes an order under section 20CA(2) in relation to that charge.
- (5) In this section—
- “litigation costs”, “relevant proceedings” and “the relevant court or tribunal” have the same meaning as in section 20CA;
 - “specified” means specified in regulations under this section.
- (6) Regulations under this section—
- (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;
 - (d) may include supplementary, incidental, transitional or saving provision.
- (7) A statutory instrument containing regulations under this section (whether alone or with other provision) is subject to the affirmative procedure.”

19 Clause 60, page 79, line 3, at end insert—

“(5A) In section 178(4) (orders and regulations), after “171” insert “, paragraph 5C of Schedule 11”.”

20 Clause 60, page 79, line 34, at end insert—

“(5A) See paragraph 5C for powers of the appropriate national authority to provide for other exceptions to sub-paragraph (1).”

21 Clause 60, page 80, line 44, at end insert—

“Paragraph 5B: powers to provide for exceptions

- 5C (1) The appropriate national authority may by regulations provide for circumstances in which—
- (a) paragraph 5B(1) does not apply, or
 - (b) the effect of paragraph 5B(1) is to be suspended until an event of a specified description occurs.
- (2) The circumstances may include, among other things, that—
- (a) the litigation costs,
 - (b) the relevant proceedings, or
 - (c) the landlord,
- are of a specified description.

- (3) Where, by virtue of regulations under sub-paragraph (1)(b), the effect of paragraph 5B(1) is suspended until an event of a specified description occurs –
 - (a) paragraph 5B(1) does not have effect before the event, but
 - (b) paragraph 5B(1) does have effect on or after the event in relation to an administration charge paid or payable before the event.
- (4) Accordingly, if an administration charge was paid before the event in respect of the landlord’s litigation costs because the effect of paragraph 5B(1) was suspended, the landlord may retain the amount of that charge after the event only if the relevant court or tribunal makes an order under paragraph 5B(2) in relation to that charge.
- (5) In this paragraph –
 - “litigation costs”, “relevant proceedings” and “the relevant court or tribunal” have the same meaning as in paragraph 5B;
 - “specified” means specified in regulations under this paragraph.”

Clause 77

22 Clause 77, page 97, line 6, leave out “provides” and insert “carries out”

23 Clause 77, page 97, line 8, leave out “provided” and insert “carried out”

Clause 81

24 Clause 81, page 100, line 25, at end insert –

- “(1A) But “administration charge” does not include an amount payable by a tenant of a dwelling in a case where all of the following conditions are met –
- (a) the tenant’s lease specifies that only a person who has attained a minimum age may occupy the dwelling;
 - (b) the amount is payable under a term of the tenant’s lease or is otherwise payable in connection with the tenant’s lease;
 - (c) the amount is payable if –
 - (i) the tenant’s lease is granted, assigned or terminated,
 - (ii) a lease of the dwelling which is inferior to the tenant’s lease is granted, assigned or terminated, or
 - (iii) there is a change in the person or persons occupying the dwelling;
 - (d) the amount is fixed or is calculated by a method determinable in advance;
 - (e) any other conditions specified in regulations made by the appropriate authority.”

Clause 83

- 25 Clause 83, page 101, line 30, at end insert –
“(5) A statutory instrument containing regulations under this section is subject to the negative procedure.”

Clause 87

- 26 Clause 87, page 103, line 32, leave out “by the Secretary of State”

Clause 90

- 27 Clause 90, page 106, line 27, leave out “by the Secretary of State”

Clause 109

- 28 Clause 109, page 122, leave out line 10 and insert –
“(c) a county council in England,
(ca) a district council,
(cb) a London borough council,
(cc) the Common Council of the City of London (in its capacity as a local authority),
(cd) the Council of the Isles of Scilly, or”
- 29 Clause 109, page 122, leave out lines 16 to 21

Schedule 1

- 30 Schedule 1, page 134, line 32, leave out sub-paragraph (2) and insert –
“(2) A lease is a retirement housing lease if –
(a) it is a term of the lease that the house comprised in the lease may be occupied only by persons who have attained a minimum age,
(b) that minimum age is not less than 55, and
(c) the house comprised in the lease is part of a retirement development or scheme in which the leases of all the houses in that development or scheme meet the requirements set out in paragraphs (a) and (b).”
- 31 Schedule 1, page 135, line 11, leave out paragraph 4 and insert –
“4 A lease of a house where the house comprised in the lease –

- (a) is a property or part of a property vested inalienably in the National Trust for Places of Historic Interest or Natural Beauty (“the National Trust”) under section 21 of the National Trust Act 1907, or
- (b) is inalienable by the National Trust by virtue of section 8 of the National Trust Act 1939.”

32 Schedule 1, page 135, line 15, at end insert –

“4A(1) A lease granted out of a freehold estate by the Crown.

(2) In this paragraph “the Crown” means –

- (a) His Majesty in right of the Crown, in right of His private estates, or in right of the Duchy of Lancaster, or
- (b) the Duchy of Cornwall.”

33 Schedule 1, page 136, line 10, leave out from “tenancy” to the end of line 12 and insert “_

- (a) allows for the tenant to acquire the freehold of the house (if the landlord has the freehold), or
- (b) provides that the terms of the lease which make the lease a shared ownership lease cease to have effect (if the landlord does not have the freehold),

without the payment of further consideration.”

Schedule 3

34 Schedule 3, page 151, line 13, at end insert –

“(ea) any combined county authority established under section 9(1) of the Levelling-up and Regeneration Act 2023;”

35 Schedule 3, page 152, line 17, leave out paragraph (f)

36 Schedule 3, page 152, line 25, at end insert –

“(ma) any clinical commissioning group;
 (mb) any Strategic Health Authority;
 (mc) any Primary Care Trust;”

37 Schedule 3, page 152, line 30, leave out “National Rivers Authority” and insert “Environment Agency”

Schedule 4

- 38 Schedule 4, page 156, line 6, leave out from “continue” to end of line 8 and insert “on the terms on which it is granted, and therefore will not be substituted by the statutory lease; (aa) the current lease will continue (on those terms) until its term date;”
- 39 Schedule 4, page 156, line 9, leave out “that” and insert “out of the interest of the person granting the statutory lease; (ba) the notional lease”
- 40 Schedule 4, page 156, line 18, at end insert—
“(2A) But if the tenant is holding over under the Local Government and Housing Act 1989 at the valuation date—
(a) in the assumption in sub-paragraph (2)(a), the reference to the terms on which the current lease is granted has effect as a reference to the terms on which the tenant is holding over under that Act;
(b) the assumption in sub-paragraph (2)(aa) does not apply.
(2B) Paragraph 21 makes provision about whether any right to hold over under the Local Government and Housing Act 1989 is to be taken into consideration in determining the market value of the notional lease (if the tenant is not holding over under that Act at the valuation date).”
- 41 Schedule 4, page 157, line 23, leave out from “if” to end of line 24 and insert “—
(a) the tenant is holding over under the Local Government and Housing Act 1989 at the valuation date, or
(b) the term date of the current lease is within the period of five years beginning at the valuation date.”
- 42 Schedule 4, page 157, line 35, at end insert—
“(1A) If section 3(3) of the LRA 1967 applies to the current lease (successive leases treated as a single lease), sub-paragraph (1) is to apply only if the one of those leases which is in effect at the valuation date is a market rack rent lease.”
- 43 Schedule 4, page 160, line 28, leave out from “that” to end of line 34 and insert “the following occurred immediately before the valuation date—
(a) in the case of the transfer of a freehold house under the LRA 1967—
(i) the merger with the freehold of any lease which the claimant will acquire as part of the statutory transfer;
(ii) the surrender of any lease of the currently leased premises that belongs to the qualifying tenant and is superior to the current lease;

- (b) in the case of the grant of an extended lease of a house under the LRA 1967 –
 - (i) the merger with the interest of the person granting the statutory lease of any lease which will be deemed to be surrendered and regranted as part of the statutory grant;
 - (ii) the surrender of any lease that will be surrendered under paragraph 11(1) of Schedule 1 to the LRA 1967 as part of the statutory grant;
- (c) in the case of the collective enfranchisement of a building under the LRHUDA 1993, the merger with the freehold of any lease which the claimant will acquire as part of the enfranchisement;
- (d) in the case of the grant of a new lease of a flat under the LRHUDA 1993 –
 - (i) the merger with the interest of the person granting the statutory lease of any lease which will be deemed to be surrendered and regranted as part of the statutory grant;
 - (ii) the surrender of any lease that will be surrendered under paragraph 10(3) of Schedule 11 to the LRHUDA 1993 as part of the statutory grant.”

44 Schedule 4, page 161, line 24, leave out from “of” to “a” in line 27 and insert “ –

- (a) the relevant freehold on the transfer of a freehold house under the LRA 1967, or
- (b) the notional lease on”

45 Schedule 4, page 163, line 30, at end insert –

“(4A) But, as this paragraph has effect subject to any assumptions that must be made in accordance with other provisions of this Schedule, the effect of those assumptions must form part of the determination of what, if any, specified matters arise.”

46 Schedule 4, page 163, line 38, leave out from “1989” to end of line 7 on page 164 and insert “, and

- (b) the tenant is not holding over under that Act at the valuation date.
- (1A) That right to hold over, and the likelihood of that right being exercised, is to be taken into consideration in determining the market value only if –
 - (a) the term date of the current lease is within the period of five years beginning at the valuation date, and
 - (b) that right to hold over is likely to be exercised.”

47 Schedule 4, page 164, line 27, at end insert –

“22A(1) This paragraph applies when determining –

- (a) the market value of the relevant freehold on the transfer of a freehold house under the LRA 1967, or

(b) the market value of the notional lease on a lease extension, if the qualifying tenant is also the tenant of a relevant superior lease.

- (2) A “relevant superior lease” is a lease that –
- (a) is superior to the current lease, and
 - (b) in accordance with paragraph 17(2)(a)(ii), (b)(ii) or (d)(ii) must be assumed to have been surrendered.
- (3) After the application of the other provisions of this Schedule for the purposes of calculating the market value, including the assumptions in paragraph 17(2) –
- (a) the amount produced by the application of those other provisions must be reduced to take account of the value of the relevant superior lease, and
 - (b) the amount produced after that reduction is the market value.”

- 48 Schedule 4, page 165, line 26, leave out “a lease (the “lease being valued”)” and insert “the current lease”
- 49 Schedule 4, page 165, line 28, leave out “lease being valued” and insert “current lease”
- 50 Schedule 4, page 165, line 31, leave out “lease being valued” and insert “current lease”
- 51 Schedule 4, page 165, line 35, leave out “lease being valued” and insert “current lease”
- 52 Schedule 4, page 165, line 38, leave out “lease being valued” and insert “current lease”
- 53 Schedule 4, page 166, line 21, leave out “lease being valued” and insert “current lease”
- 54 Schedule 4, page 166, line 23, leave out “lease being valued” and insert “current lease”
- 55 Schedule 4, page 166, line 30, at end insert –
- “(10A) If section 3(3) of the LRA 1967 applies to the current lease (successive leases treated as a single lease), sub-paragraph (9) is to apply only if the one of those leases which is in effect at the valuation date meets the condition in sub-paragraph (9)(a) or (b).”
- 56 Schedule 4, page 166, line 31, leave out “lease being valued” and insert “current lease”

Schedule 6

- 57 Schedule 6, page 176, line 26, before first “Schedule” insert (1)
- 58 Schedule 6, page 176, line 39, at end insert –
- “(2) But in the case of a deemed single lease –
 - (a) there is not to be a single term date for the deemed single lease (as would otherwise be the case in accordance with section 3(6) of the LRA 1967 or section 7(6) of the LRHUDA 1993);
 - (b) instead, each constituent lease has its own term date (and sub-paragraph (1) applies for the purpose of giving the meaning of “term date” here).”
- 59 Schedule 6, page 177, line 37, leave out from “date” to end of line 42 and insert “is to be read subject to paragraph 1(2);”

Schedule 8

- 60 Schedule 8, page 193, line 10, at end insert –
- “(3A) But any lease that must be surrendered under paragraph 11(1) is to be treated for the purposes of this paragraph as if it had been surrendered immediately before the relevant time.”
- 61 Schedule 8, page 195, line 3, at end insert –
- “(3A) But any lease that must be surrendered under paragraph 10(3) is to be treated for the purposes of this paragraph as if it had been surrendered immediately before the relevant date.”
- 62 Schedule 8, page 196, line 17, leave out “paragraphs 11 to 15” and insert “this Part of this Schedule”
- 63 Schedule 8, page 199, line 34, leave out from beginning to end of line 3 on page 200

Before Schedule 9

64 Before Schedule 9, insert the following new Schedule –

“SCHEDULE

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”.

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,”.

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.

Housing Act 1985

- 4 In the Housing Act 1985 –
- (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.”;
- (b) omit section 175 (determination of price payable on enfranchisement under LRA 1967 where tenancy created under right to buy).

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.”

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.”

Housing Act 1988

- 7 In Schedule 17 to the Housing Act 1988 (minor and consequential amendments) –
- (a) omit paragraph 40;
 - (b) omit paragraph 68.

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 –
 - (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.”

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”.

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).

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);
 - (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.

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 sub-paragraph (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.”.

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”.

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.

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.

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.

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.

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.

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)”.

Schedule 9

65 Schedule 9, page 212, line 22, at beginning insert “the appropriate tribunal may”

66 Schedule 9, page 221, line 16, first column, leave out “premium” and insert “price”

Schedule 10

67 Schedule 10, page 227, line 11, leave out “subsection (4)” and insert “subsections (4) and (7)”

Leasehold and Freehold Reform Bill

LORDS AMENDMENTS

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