



# Landlord and Tenant Act 1985

## 1985 CHAPTER 70

### *Service charges*

#### <sup>x1</sup>[<sup>F1</sup>21 **Service charge information**

- (1) The appropriate national authority may make regulations about the provision, by landlords of dwellings to each tenant by whom service charges are payable, of information about service charges.
- (2) The regulations must, subject to any exceptions provided for in the regulations, require the landlord to provide information about—
  - (a) the service charges of the tenant,
  - (b) any associated service charges, and
  - (c) relevant costs relating to service charges falling within paragraph (a) or (b).
- (3) The regulations must, subject to any exceptions provided for in the regulations, require the landlord to provide the tenant with a report by a qualified person on information which the landlord is required to provide by virtue of this section.
- (4) The regulations may make provision about—
  - (a) information to be provided by virtue of subsection (2),
  - (b) other information to be provided (whether in pursuance of a requirement or otherwise),
  - (c) reports of the kind mentioned in subsection (3),
  - (d) the period or periods in relation to which information or reports are to be provided,
  - (e) the times at or by which information or reports are to be provided,
  - (f) the form and manner in which information or reports are to be provided (including in particular whether information is to be contained in a statement of account),
  - (g) the descriptions of persons who are to be qualified persons for the purposes of subsection (3).
- (5) Subsections (2) to (4) do not limit the scope of the power conferred by subsection (1).

*Status: Point in time view as at 06/04/2023.*

*Changes to legislation: Landlord and Tenant Act 1985, Section 21 is up to date with all changes known to be in force on or before 16 January 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)*

- (6) Regulations under this section may—
- (a) make different provision for different cases or descriptions of case or for different purposes,
  - (b) contain such supplementary, incidental, consequential, transitional, transitory or saving provision as the appropriate national authority considers appropriate.
- [<sup>F2</sup>(6A) In particular, regulations which make provision about higher-risk buildings (within the meaning of Part 4 of the Building Safety Act 2022) [<sup>F3</sup>or relevant buildings (as defined by section 117 of that Act)] need not contain provision of a kind mentioned in subsection (2) or (3).]
- (7) Regulations under this section are to be made by statutory instrument which, subject to subsections (8) and (9)—
- (a) in the case of regulations made by the Secretary of State, is to be subject to annulment in pursuance of a resolution of either House of Parliament, and
  - (b) in the case of regulations made by the Welsh Ministers, is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.
- (8) The Secretary of State may not make a statutory instrument containing the first regulations made by the Secretary of State under this section unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (9) The Welsh Ministers may not make a statutory instrument containing the first regulations made by the Welsh Ministers under this section unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.
- (10) In this section—
- “the appropriate national authority”—
- (a) in relation to England, means the Secretary of State, and
  - (b) in relation to Wales, means the Welsh Ministers,
- “associated service charges”, in relation to a tenant by whom a contribution to relevant costs is payable as a service charge, means service charges of other tenants so far as relating to the same costs.]

#### Editorial Information

- X1** Editorial note: The substitution of s. 21 (Regular statements of account) by the [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#), [s. 152](#) (version dated 26.7.2002 on the timeline) has been brought into force only in so far as it confers power to make regulations; and the further substitution of s. 21 (Service charge information) by the [Housing and Regeneration Act 2008 \(c. 17\)](#), [Sch. 12 para. 2](#) (version dated 1.12.2008) has been brought into force only for the purpose of enabling the Secretary of State to make regulations (for England). The power to make such regulations has not to date been exercised in either case. For s. 21 (Request for summary of relevant costs) as it otherwise remains in force, see the version dated 17.12.1996.

#### Textual Amendments

- F1** S. 21 (as substituted by s. 152 of the [Commonhold and Leasehold Reform Act 2002 \(c. 15\)](#)) substituted (1.12.2008 for E. for the purpose of enabling the Secretary of State to make regulations and otherwise

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prosp.) by Housing and Regeneration Act 2008 (c. 17), ss. 303, 325(3)(b)(4), **Sch. 12 para. 2**; S.I. 2008/3068, **art. 4(6)** (with arts. 6-3)

**F2** S. 21(6A) inserted (28.4.2022 for specified purposes, 6.4.2023 in so far as not already in force) by Building Safety Act 2022 (c. 30), **ss. 112(4), 170(2)** (with s. 164); S.I. 2023/362, reg. 3(1)(z10)(iv)

**F3** Words in s. 21(6A) inserted (28.6.2022) by Building Safety Act 2022 (c. 30), s. 170(3), **Sch. 8 para. 17** (with s. 164)

**Modifications etc. (not altering text)**

**C1** Ss. 18-30 modified (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 102, 181(1), **Sch. 7 para. 4**; S.I. 2003/1986, **art. 2(a)**; S.I. 2004/669, **art. 2(a)**

Ss. 18-30B extended (30.9.2003 and 28.2.2005 for E. for certain purposes and otherwise prosp. and 30.3.2004 and 31.5.2005 for W. for certain purposes and otherwise prosp.) by 2002 c. 15, ss. 172, 181(1); S.I. 2003/1986, **art. 2(c)(ii)** (subject to **Sch. 2**); S.I. 2004/699, **art. 2(c)(ii)** (subject to **Sch. 2**); S.I. 2004/3056, **art. 3(h)** (subject to **art. 4** (as amended by S.I. 2005/193, art. 2)); S.I. 2005/1353, **art. 2(h)** (subject to **art. 3**)

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