



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 2

#### LEASEHOLD REFORM

### CHAPTER 5

#### OTHER PROVISIONS ABOUT LEASES

##### *Variation of leases*

#### **162 Grounds for application by party to lease**

- (1) Section 35 of the 1987 Act (application by party to lease for variation of lease) is amended as follows.
- (2) In subsection (2) (grounds for application), for paragraph (b) substitute—
  - “(b) the insurance of the building containing the flat or of any such land or building as is mentioned in paragraph (a)(iii);”.
- (3) After paragraph (f) of that subsection insert—
  - “(g) such other matters as may be prescribed by regulations made by the Secretary of State.”
- (4) After subsection (3) insert—
  - “(3A) For the purposes of subsection (2)(e) the factors for determining, in relation to a service charge payable under a lease, whether the lease makes satisfactory provision include whether it makes provision for an amount to be payable (by way of interest or otherwise) in respect of a failure to pay the service charge by the due date.”

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**Changes to legislation:** Commonhold and Leasehold Reform Act 2002, Section 162 is up to date with all changes known to be in force on or before 21 July 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) View outstanding changes

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- (5) In section 53(2)(b) of the 1987 Act (regulations subject to negative Parliamentary procedure), after “section 20(4)” insert “ or 35(2)(g) ”.

**Commencement Information**

- II** S. 162 wholly in force at 1.1.2003; s. 162 not in force at Royal Assent, see s. 181(1); s. 162 in force at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#)); s. 162 in force at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(b\)\(i\)](#) (subject to transitional provisions and savings in [Sch. 2](#))

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Commonhold and Leasehold Reform Act 2002, Section 162 is up to date with all changes known to be in force on or before 21 July 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 82(4)(5) inserted by [2024 c. 22 s. 50\(2\)\(b\)](#)
- s. 87A87B inserted by [2024 c. 22 s. 50\(3\)](#)
- s. 107(3)(4) inserted by [2024 c. 22 s. 51\(3\)](#)
- s. 172(1)(i) and word inserted by [2024 c. 22 s. 62\(5\)\(b\)](#)
- Sch. 11 para. 5B applied by 1985 c. 70, s. 30J(4) (as inserted) by [2024 c. 22 s. 63](#)
- Sch. 11 para. 4A4B and cross-heading inserted by [2024 c. 22 s. 61\(b\)](#)
- Sch. 11 para. 5B5C and cross-heading inserted by [2024 c. 22 s. 62\(7\)\(b\)](#)