



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 1

COMMONHOLD

Miscellaneous

58 Development rights

- (1) In this Part—
 - “the developer” means a person who makes an application under section 2,
and
 - “development business” has the meaning given by Schedule 4.
- (2) A commonhold community statement may confer rights on the developer which are designed—
 - (a) to permit him to undertake development business, or
 - (b) to facilitate his undertaking of development business.
- (3) Provision made by a commonhold community statement in reliance on subsection (2) may include provision—
 - (a) requiring the commonhold association or a unit-holder to co-operate with the developer for a specified purpose connected with development business;
 - (b) making the exercise of a right conferred by virtue of subsection (2) subject to terms and conditions specified in or to be determined in accordance with the commonhold community statement;
 - (c) making provision about the effect of breach of a requirement by virtue of paragraph (a) or a term or condition imposed by virtue of paragraph (b);
 - (d) disapplying section 41(2) and (3).
- (4) Subsection (2) is subject—

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 58. (See end of Document for details)

- (a) to regulations under section 32, and
 - (b) in the case of development business of the kind referred to in paragraph 7 of Schedule 4, to the [^{F1}articles of association] of the commonhold association.
- (5) Regulations may make provision regulating or restricting the exercise of rights conferred by virtue of subsection (2).
- (6) Where a right is conferred on a developer by virtue of subsection (2), if he sends to the Registrar a notice surrendering the right—
- (a) the Registrar shall arrange for the notice to be kept in his custody and referred to in the register,
 - (b) the right shall cease to be exercisable from the time when the notice is registered under paragraph (a), and
 - (c) the Registrar shall inform the commonhold association as soon as is reasonably practicable.

Textual Amendments

- F1** Words in s. 58(4)(b) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), **Sch. 1 para. 194(13)** (with [art. 10](#))

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