



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 1

RIGHT TO MANAGE

Acquisition of right

92 Duties to give notice of contracts

- (1) The person who is the manager party in relation to an existing management contract must give a notice in relation to the contract—
 - (a) to the person who is the contractor party in relation to the contract (a “contractor notice”), and
 - (b) to the RTM company (a “contract notice”).
- (2) A contractor notice and a contract notice must be given—
 - (a) in the case of a contract subsisting immediately before the determination date, on that date or as soon after that date as is reasonably practicable, and
 - (b) in the case of a contract entered into during the period beginning with the determination date and ending with the acquisition date, on the date on which it is entered into or as soon after that date as is reasonably practicable.
- (3) A contractor notice must—
 - (a) give details sufficient to identify the contract in relation to which it is given,
 - (b) state that the right to manage the premises is to be acquired by a RTM company,

Changes to legislation: There are currently no known outstanding effects for the
Commonhold and Leasehold Reform Act 2002, Section 92. (See end of Document for details)

- (c) state the name and registered office of the RTM company,
 - (d) specify the acquisition date, and
 - (e) contain such other particulars (if any) as may be required to be contained in contractor notices by regulations made by the appropriate national authority, and must also comply with such requirements (if any) about the form of contractor notices as may be prescribed by regulations so made.
- (4) Where a person who receives a contractor notice (including one who receives a copy by virtue of this subsection) is party to an existing management sub-contract with another person (the “sub-contractor party”), the person who received the notice must—
- (a) send a copy of the contractor notice to the sub-contractor party, and
 - (b) give to the RTM company a contract notice in relation to the existing management sub-contract.
- (5) An existing management sub-contract is a contract under which the sub-contractor party agrees to provide services, or do any other thing, in connection with any matter relating to a function which will be a function of the RTM company once it acquires the right to manage and which—
- (a) is subsisting immediately before the determination date, or
 - (b) is entered into during the period beginning with the determination date and ending with the acquisition date.
- (6) Subsection (4) must be complied with—
- (a) in the case of a contract entered into before the contractor notice is received, on the date on which it is received or as soon after that date as is reasonably practicable, and
 - (b) in the case of a contract entered into after the contractor notice is received, on the date on which it is entered into or as soon after that date as is reasonably practicable.
- (7) A contract notice must—
- (a) give particulars of the contract in relation to which it is given and of the person who is the contractor party, or sub-contractor party, in relation to that contract, and
 - (b) contain such other particulars (if any) as may be required to be contained in contract notices by regulations made by the appropriate national authority, and must also comply with such requirements (if any) about the form of contract notices as may be prescribed by such regulations so made.

Commencement Information

- II** S. 92 wholly in force at 30.3.2004; s. 92 not in force at Royal Assent see s. 181(1); s. 92 in force for specified purposes at 26.7.2002 for E. by [S.I. 2002/1912](#), [art. 2\(c\)](#); s. 92 in force for specified purposes at 1.1.2003 for W. by [S.I. 2002/3012](#), [art. 2\(c\)](#); s. 92 in force so far as not already in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(b\)](#); s. 92 in force so far as not already in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(b\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 92.