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STATUTORY INSTRUMENTS

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**2003 No. 1986**

**The Commonhold and Leasehold Reform Act 2002  
(Commencement No. 2 and Savings) (England) Order 2003**

**Citation, interpretation and application**

1.—(1) This Order may be cited as the Commonhold and Leasehold Reform Act 2002 (Commencement No. 2 and Savings) (England) Order 2003.

(2) In this Order—

“LVT” means a leasehold valuation tribunal;

“the 1967 Act” means the Leasehold Reform Act 1967(1);

“the 1985 Act” means the Landlord and Tenant Act 1985(2);

“the 1987 Act” means the Landlord and Tenant Act 1987(3);

“the 1993 Act” means the Leasehold Reform, Housing and Urban Development Act 1993(4);

“the 1996 Act” means the Housing Act 1996(5);

“the first commencement date” means 30 September 2003;

“the second commencement date” means 31 October 2003;

references to sections and Schedules are, unless otherwise stated, references to sections of, and Schedules to, the Commonhold and Leasehold Reform Act 2002; and

any reference to a repeal is to a repeal made by section 180 and Schedule 14.

(3) This Order applies to England only.

**Provisions coming into force on the first commencement date**

2. The following provisions shall come into force on the first commencement date —

(a) sections 71 to 73, 75 to 77, 79, 81 to 83, 85 to 91, 93 to 103, 105 to 109, 111 to 113, 159, 163, 173, Schedules 6 and 7;

(b) sections 74, 78, 80, 84, 92, 110, 174 and Schedule 12 to the extent that they are not already in force;

(c) subject to the savings in Schedule 2 to this Order—

(i) sections 148, 149, 150, 155, 157, 158, 175, 176, Schedule 9, paragraphs 8 to 13 of Schedule 10, Schedule 11 and paragraphs 1 to 15 of Schedule 13;

(ii) subsections (1) to (5) of section 172 except in so far as they relate to the application to the Crown of sections 152 to 154, 164 to 171, paragraphs 1 to 7 of Schedule 10 and paragraph 16 of Schedule 13;

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(1) 1967 c. 88.  
(2) 1985 c. 70.  
(3) 1987 c. 31.  
(4) 1993 c. 28.  
(5) 1996 c. 52.

- (iii) subsection (6) of section 172 except in so far as the substitutions made by that subsection relate to sections 42A and 42B of the 1987 Act;
- (iv) to the extent that it is not already in force, section 180 in so far as it relates to the repeals in Schedule 14 which are set out in Schedule 1 to this Order.

### **Provisions coming into force on the second commencement date**

3.—(1) Subject to paragraphs (2) to (7), section 151, to the extent that it is not already in force, shall come into force on the second commencement date.

(2) In relation to any case to which paragraph (3), (4), (5) or (7) applies, the amendment made by section 151 shall have no effect and the Service Charge (Estimates and Consultation) Order 1988(6) shall continue to apply.

(3) This paragraph applies where qualifying works are begun before the second commencement date.

(4) This paragraph applies where, in relation to qualifying works, the landlord has given or displayed the notice required under section 20 of the 1985 Act before the second commencement date.

(5) This paragraph applies where, in relation to qualifying works to which paragraph (6) applies, the landlord has given notice in the Official Journal of the European Union in accordance with the Public Works Contracts Regulations 1991(7), the Public Services Contracts Regulations 1993(8) or the Public Supply Contracts Regulations 1995(9) before the second commencement date.

(6) This paragraph applies to qualifying works which are carried out under a contract which —

- (a) is to be entered into on or after the second commencement date; and
- (b) is for a period of twelve months or less.

(7) This paragraph applies where, under an agreement entered into, by or on behalf of the landlord or a superior landlord, before the second commencement date, qualifying works are carried out at any time in the period starting with the second commencement date and ending two months after that date.

Signed by authority of the First Secretary of State

4th August 2003

*Keith Hill*  
Minister of State  
Office of the Deputy Prime Minister

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(6) [S.I. 1988/1285](#).  
(7) [S.I. 1991/2680](#), to which there are amendments not relevant to this Order.  
(8) [S.I. 1993/3228](#), to which there are amendments not relevant to this Order.  
(9) [S.I. 1995/201](#) to which there are amendments not relevant to this Order.