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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations amend the Home Information Pack (No. 2) Regulations 2007 ([SI 2007/1667](#)) (“the principal Regulations”). Under sections 155 to 159 of the Housing Act 2004, a home information pack must comply with the principal Regulations.

The provisions contained in regulations 1 to 7 come into force on 1st January 2009 and the provisions contained in regulations 8 to 12 come into force on 6th April 2009.

Regulation 3 amends regulation 8 (required pack documents) of the principal Regulations, so that the leasehold documents previously referred to in regulation 8 are omitted and are no longer required pack documents.

Regulation 4 amends regulation 9 (authorised pack documents) of the principal Regulations to include leasehold documents set out in Schedule 5 of the principal Regulations as authorised pack documents. Schedule 5 (leasehold information) of the principal Regulations is amended by regulation 7 to include leasehold documents that may be authorised pack documents.

Regulation 5 amends regulation 16(1)(a) (energy information unobtainable before or at the first point of marketing); regulation 34(2)(a) (exception - first day marketing during a temporary period) and paragraph 4(a) of Schedule 6 (general provisions about searches and search reports – specified required search reports) of the principal Regulations to extend until 6th April 2009 the exemptions set out in those regulations.

Regulation 6 amends regulation 30 (exception for portfolios of properties) of the principal Regulations to omit the requirement that all properties sold as a portfolio of properties must be vacant.

Regulation 8 amends regulation 2 (interpretation – general provisions) of the principal Regulations by applying the meaning of new homes to additional provisions and inserting definitions for the “property information questionnaire”.

Regulation 9 amends regulation 8 of the principal Regulations to add a property information questionnaire (“PIQ”) as a required pack document. The PIQ must comply with either Schedule 11 or Schedule 12 of the principal Regulations, which are inserted by regulation 10 of these Regulations.

Regulation 11 amends regulation 13 of the principal Regulations requiring the PIQ to be the second document in the home information pack.

Regulation 12 amends regulation 14 of the principal Regulations to provide that PIQs must be included in home information packs for properties where the first point of marketing is on or after 6th April 2009.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available at [www.communities.gov.uk](http://www.communities.gov.uk) and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website.