
STATUTORY INSTRUMENTS

2009 No. 2096

The Housing and Regeneration Act 2008 (Commencement No.6 and Transitional and Savings Provisions) Order 2009

Transitional and savings provisions

3.—(1) Subject to paragraph (2), the amendments made in consequence of article 2(2)(a) and (c) shall not have effect as regards any long tenancy⁽¹⁾ within the meaning of Part 1 of the Leasehold Reform Act 1967 (enfranchisement and extension of long leaseholds)—

- (a) granted before the commencement date; or
- (b) granted after the commencement date but arising from a written agreement for the grant of that tenancy made before the commencement date.

(2) Section 1AA of the Leasehold Reform Act 1967 (additional right to enfranchisement only in case of houses whose rent exceeds applicable limit under section 4)⁽²⁾ shall continue to have effect as regards a tenancy granted—

- (a) before the commencement date; and
- (b) in respect of a house that is within an area described in the Housing (Right to Enfranchise) (Designated Protected Areas) (England) Order 2009⁽³⁾,

and for the purpose of the application of that section the areas described in that Order shall be treated as areas designated as rural areas under subsection (3)(a) of that section.

(3) The amendments made by section 316 of the 2008 Act shall not have effect for the purpose of defining “approved lending institutions” in sections 36(4), 151B(5) and 156(4) of the Housing Act 1985⁽⁴⁾ where the advance concerned was made before the commencement date.

(1) For the meaning of “long tenancy” *see* section 3 of the 1967 Act.
(2) Section 1AA of the 1967 Act was inserted by section 106 of, and paragraph 1 of Schedule 9 to, the Housing Act 1996 (c. 56) and was subsequently amended by sections 141(1) and 180 of, and Schedule 14 to, the Commonhold and Leasehold Reform Act 2002 (c. 15).
(3) S.I. 2009/2098, being an order made under paragraph 4A of Schedule 4A to the 1967 Act.
(4) 1985 c. 68). Section 151B was inserted by section 118 the Leasehold Reform, Housing and Urban Development Act 1993 (c.28) and section 151B(5) was further amended by section 140 of and paragraph 5 of Schedule 16 to, the Government of Wales Act 1998 (c. 38) and by articles 1 and 299(3) of S.I. 2001/3649.