



# Mortgage Repossessions (Protection of Tenants etc) Act 2010

## 2010 CHAPTER 19

### 2 Notice of execution of possession order

- (1) This section applies where the mortgagee under a mortgage of land which consists of or includes a dwelling-house has obtained an order for possession of the mortgaged property.
- (2) The order may be executed—
  - (a) only if the mortgagee gives notice at the property of any prescribed step taken for the purpose of executing the order, and
  - (b) only after the end of a prescribed period beginning with the day on which such notice is given.
- (3) “Prescribed” means prescribed by regulations made by the Secretary of State.
- (4) Regulations made by the Secretary of State may prescribe the form of notices and the way in which they must be given.
- (5) The regulations may make supplementary, incidental, transitional or saving provision.
- (6) Regulations under this section may be made only with the consent of the Lord Chancellor.
- (7) Regulations under this section are to be made by statutory instrument.
- (8) A statutory instrument containing regulations made under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

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#### Commencement Information

**II** [S. 2](#) in force in so far as not already in force at 1.10.2010 by [S.I. 2010/1705](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Mortgage Repossessions (Protection of Tenants etc) Act 2010, Section 2.