



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 1

#### COMMONHOLD

##### *Commonhold community statement*

#### **31 Form and content: general**

- (1) A commonhold community statement is a document which makes provision in relation to specified land for—
  - (a) the rights and duties of the commonhold association, and
  - (b) the rights and duties of the unit-holders.
- (2) A commonhold community statement must be in the prescribed form.
- (3) A commonhold community statement may—
  - (a) impose a duty on the commonhold association;
  - (b) impose a duty on a unit-holder;
  - (c) make provision about the taking of decisions in connection with the management of the commonhold or any other matter concerning it.
- (4) Subsection (3) is subject to—
  - (a) any provision made by or by virtue of this Part, and
  - (b) any provision of the memorandum or articles of the commonhold association.
- (5) In subsection (3)(a) and (b) “duty” includes, in particular, a duty—
  - (a) to pay money;
  - (b) to undertake works;
  - (c) to grant access;
  - (d) to give notice;

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*Status: This is the original version (as it was originally enacted).*

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- (e) to refrain from entering into transactions of a specified kind in relation to a commonhold unit;
  - (f) to refrain from using the whole or part of a commonhold unit for a specified purpose or for anything other than a specified purpose;
  - (g) to refrain from undertaking works (including alterations) of a specified kind;
  - (h) to refrain from causing nuisance or annoyance;
  - (i) to refrain from specified behaviour;
  - (j) to indemnify the commonhold association or a unit-holder in respect of costs arising from the breach of a statutory requirement.
- (6) Provision in a commonhold community statement imposing a duty to pay money (whether in pursuance of subsection (5)(a) or any other provision made by or by virtue of this Part) may include provision for the payment of interest in the case of late payment.
- (7) A duty conferred by a commonhold community statement on a commonhold association or a unit-holder shall not require any other formality.
- (8) A commonhold community statement may not provide for the transfer or loss of an interest in land on the occurrence or non-occurrence of a specified event.
- (9) Provision made by a commonhold community statement shall be of no effect to the extent that—
- (a) it is prohibited by virtue of section 32,
  - (b) it is inconsistent with any provision made by or by virtue of this Part,
  - (c) it is inconsistent with anything which is treated as included in the statement by virtue of section 32, or
  - (d) it is inconsistent with the memorandum or articles of association of the commonhold association.