



Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2 **E+W**

LEASEHOLD REFORM

CHAPTER 1 **E+W**

RIGHT TO MANAGE

Exercising right

96 Management functions under leases **E+W**

- (1) This section and section 97 apply in relation to management functions relating to the whole or any part of the premises.
- (2) Management functions which a person who is landlord under a lease of the whole or any part of the premises has under the lease are instead functions of the RTM company.
- (3) And where a person is party to a lease of the whole or any part of the premises otherwise than as landlord or tenant, management functions of his under the lease are also instead functions of the RTM company.
- (4) Accordingly, any provisions of the lease making provision about the relationship of—
 - (a) a person who is landlord under the lease, and
 - (b) a person who is party to the lease otherwise than as landlord or tenant,in relation to such functions do not have effect.
- (5) “Management functions” are functions with respect to services, repairs, maintenance, improvements, insurance and management.

Changes to legislation: There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 96. (See end of Document for details)

- (6) But this section does not apply in relation to—
- (a) functions with respect to a matter concerning only a part of the premises consisting of a flat or other unit not held under a lease by a qualifying tenant, or
 - (b) functions relating to re-entry or forfeiture.
- (7) An order amending subsection (5) or (6) may be made by the appropriate national authority.

Commencement Information

- II** S. 96 wholly in force at 30.3.2004; s. 96 not in force at Royal Assent see s. 181(1); s. 96 wholly in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); s. 96 wholly in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

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