



# Commonhold and Leasehold Reform Act 2002

## 2002 CHAPTER 15

### PART 2

#### LEASEHOLD REFORM

#### CHAPTER 1

#### RIGHT TO MANAGE

#### *Exercising right*

#### **97 Management functions: supplementary**

- (1) Any obligation owed by the RTM company by virtue of section 96 to a tenant under a lease of the whole or any part of the premises is also owed to each person who is landlord under the lease.
- (2) A person who is—
  - (a) landlord under a lease of the whole or any part of the premises,
  - (b) party to such a lease otherwise than as landlord or tenant, or
  - (c) a manager appointed under Part 2 of the 1987 Act to act in relation to the premises, or any premises containing or contained in the premises,is not entitled to do anything which the RTM company is required or empowered to do under the lease by virtue of section 96, except in accordance with an agreement made by him and the RTM company.
- (3) But subsection (2) does not prevent any person from insuring the whole or any part of the premises at his own expense.

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**Changes to legislation:** There are currently no known outstanding effects for the  
Commonhold and Leasehold Reform Act 2002, Section 97. (See end of Document for details)

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- (4) So far as any function of a tenant under a lease of the whole or any part of the premises—
- (a) relates to the exercise of any function under the lease which is a function of the RTM company by virtue of section 96, and
  - (b) is exercisable in relation to a person who is landlord under the lease or party to the lease otherwise than as landlord or tenant,
- it is instead exercisable in relation to the RTM company.
- (5) But subsection (4) does not require or permit the payment to the RTM company of so much of any service charges payable by a tenant under a lease of the whole or any part of the premises as is required to meet costs incurred before the right to manage was acquired by the RTM company in connection with matters for which the service charges are payable.

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**Commencement Information**

- II** S. 97 wholly in force at 30.3.2004; s. 97 not in force at Royal Assent see s. 181(1); s. 97 wholly in force at 30.9.2003 for E. by [S.I. 2003/1986](#), [art. 2\(a\)](#); s. 97 wholly in force at 30.3.2004 for W. by [S.I. 2004/669](#), [art. 2\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Commonhold and Leasehold Reform Act 2002, Section 97.