
STATUTORY INSTRUMENTS

2011 No. 1002

**The Housing and Regeneration Act 2008
(Commencement No. 8 and Transitional,
Transitory and Saving Provisions) Order 2011**

Existing agreements: transitional disapplication of certain terms and obligations

5. Notwithstanding article 4—

- (a) sections 1(2) to (9) and 2(2) to (4) of the 1983 Act do not apply to an existing agreement, and
- (b) in relation to an existing agreement—
 - (i) paragraphs 3 and 4 (termination) of Chapter 3, or paragraphs 3 to 6 (termination) of Chapter 4, of Part 1 of Schedule 1 to the 1983 Act⁽¹⁾, whichever Chapter may be applicable in a particular case, do not apply for the purposes of any proceedings commenced before the commencement date in which termination of the agreement is at issue;
 - (ii) paragraph 8 (re-siting of mobile home) of Chapter 4 of Part 1 of that Schedule does not apply to a requirement that the occupier's right to station the mobile home is exercisable for any period in relation to another pitch where the requirement is made before the commencement date;
 - (iii) paragraph 15(2) and (6) to (11) (pitch fee) of Chapter 4 of Part 1 of that Schedule does not apply in relation to the first pitch fee review under that agreement where the pitch fee review date for that review is within 28 days of the commencement date;
 - (iv) paragraph 16 (pitch fee) of Chapter 4 of Part 1 of that Schedule does not apply where works relating to an improvement were carried out before the commencement date;
 - (v) paragraph 19(c) and (d) (occupier's obligations) of Chapter 4 of Part 1 of that Schedule may not be enforced in relation to any breach of the agreement which occurs within 3 months of the commencement date;
 - (vi) paragraph 19(e) (occupier's obligations) of Chapter 4 of Part 1 of that Schedule does not apply in relation to costs and expenses incurred before the commencement date;
 - (vii) paragraph 20(f) (owner's obligations) of Chapter 4 of Part 1 of that Schedule does not apply where works relating to the improvements start before, or within the period of 28 days beginning with, the commencement date; and
 - (viii) paragraph 20(g) (owner's obligations) of Chapter 4 of Part 1 of that Schedule does not apply in relation to any matter which arises before, or within the period of 28 days beginning with, the commencement date.

⁽¹⁾ Chapters 3 and 4 of Part 1 of Schedule 1 to the 1983 Act were inserted by the Mobile Homes Act 1983 (Amendment of Schedule 1 and Consequential Amendments) (England) Order 2011.