

2022 No. 578

LANDLORD AND TENANT, ENGLAND AND WALES

**The Leasehold Reform (Ground Rent) (Business Lease Notices)
Regulations 2022**

<i>Made</i>	- - - -	<i>24th May 2022</i>
<i>Laid before Parliament</i>		<i>26th May 2022</i>
<i>Coming into force</i>		<i>30th June 2022</i>

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 2(2) and 21(1) of the Leasehold Reform (Ground Rent) Act 2022(a):

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Leasehold Reform (Ground Rent) (Business Lease Notices) Regulations 2022.

(2) These Regulations come into force on 30th June 2022.

(3) These Regulations extend to England and Wales.

Interpretation

2. In these Regulations—

“the Act” means the Leasehold Reform (Ground Rent) Act 2022;

“proper address” means—

- (i) in the case of a company, the registered or principle office;
- (ii) in the case of an individual, the last known address of the individual.

Form and content of business lease notices

3.—(1) A notice under section 2(1)(c) of the Act must contain—

- (a) the address or other description (sufficient to identify the premises) of the premises demised (or to be demised) by the lease;
- (b) a statement to the effect that—
 - (i) the landlord or tenant (or prospective landlord or tenant), as the case may be, intends the premises demised (or to be demised) by the lease to be used, and to continue to be used for purposes which are business purposes and this is expressly permitted by the lease (and no further consent is required from the landlord for such use);

- (ii) the nature of the business purposes permitted by the lease (or prospective lease) is such that the use of the premises demised (or to be demised) by the lease as a dwelling significantly contributes to the business purposes;
 - (iii) the lease (or prospective lease) is excepted from the Act and the lease can require the tenant to pay a rent which is more than a peppercorn rent;
 - (c) the name and signature of the landlord or tenant (or prospective landlord or tenant) giving the notice or the person authorised to give the notice on that person's behalf.
- (2) A notice under section 2(1)(c) of the Act must not form part of any instrument creating the lease.

Service of notices

4. A notice under section 2(1)(c) of the Act is duly given to the landlord or tenant (or prospective landlord or tenant) if—

- (a) it is given to them by hand;
- (b) it is left at their proper address;
- (c) it is sent by post to that address;
- (d) it is transmitted in a form of electronic communication accepted by the recipient of the notice; or
- (e) it is provided by any other means accepted by the recipient of the notice.

Signed by authority of the Secretary of State for Levelling Up, Housing and Communities

Greenhalgh
Minister for Building Safety and Fire
Department for Levelling Up, Housing and Communities

24th May 2022

EXPLANATORY NOTE

(This note is not part of the Regulations)

Section 2 of the Leasehold Reform (Ground Rent) Act 2022 (c. 1) (“the 2022 Act”) provides for certain business leases to be excepted from the 2022 Act. Where use of the premises for business purposes are expressly permitted by the lease and the use of the premises as a dwelling significantly contributes to the business purposes, the lease will be excepted from the 2022 Act if the landlord and tenant (or prospective landlord and tenant) each give the other a written notice as specified in section 2.

Regulation 3 provides the contents required for notices exchanged under section 2 of the 2022 Act. There is no required form. Regulation 4 provides the methods which can be used to give such notices.

An impact assessment has not been produced for this instrument as no, or no significant impact on the private, voluntary or public sector is foreseen.

© Crown copyright 2022

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/uksi/2022/578>

ISBN 978-0-34-823559-3



9 780348 235593