

SUPPLEMENTARY LEGISLATIVE CONSENT MEMORANDUM (MEMORANDUM NO 4)

Leasehold and Freehold Reform Bill

1. This legislative consent memorandum (LCM) is laid under Standing Order (“SO”) 29.2. SO29 prescribes that a legislative consent memorandum must be laid, and a legislative consent motion may be tabled, before Senedd Cymru if a UK Parliamentary Bill makes provision in relation to Wales for any purpose within, or which modifies the legislative competence of the Senedd.
2. The Leasehold and Freehold Reform Bill (“the Bill”) was introduced in the UK Parliament, the House of Commons, on 27 November 2023. I laid an LCM on 12 December 2023. Following amendments tabled at House of Commons Committee and Report stages, supplementary LCMs were laid on 30 January and 4 March 2024.
3. The UK Government tabled 38 amendments on 15 April for consideration at Lords Committee Stage, which commenced on 22 April and is scheduled to run until at least 1 May. The amendments make provision which fall within the legislative competence of the Senedd, as detailed in paragraphs 16 to 30 below.
4. The latest version of the Bill, as brought from the Commons can be found at: bills.parliament.uk/publications/54460/documents/4496.

Policy Objective(s)

5. The UK Government’s stated policy objectives are to:
Amend the rights of tenants under long residential leases to acquire the freeholds of their houses, to extend the leases of their houses or flats, and to collectively enfranchise or manage the buildings containing their flats, to give such tenants the right to reduce the rent payable under their leases to a peppercorn, to regulate charges and costs payable by residential tenants, to regulate residential estate management and to regulate rent charges.

Summary of the Bill

6. The Bill is sponsored by the Department for Levelling Up, Housing and Communities.
7. The key provisions of the Bill cover:
 - Increasing the standard lease extension term for houses and flats to 990-years (up from 90 years for flats, and 50 years for houses), with ground rent reduced to a peppercorn (zero financial value) upon payment of a premium.
 - Removing the so-called ‘marriage value’.

- Removing the requirement for a new leaseholder to have owned their house or flat for 2 years before they can benefit from these changes.
 - Increasing the 25% 'non-residential' limit which applies to mixed use properties, and which may prevent leaseholders in buildings with a mixture of homes and other uses such as shops and offices, from buying their freehold or taking over management of their buildings.
 - Requiring transparency over leaseholders' service charges
 - Replacing buildings insurance commissions for managing agents and landlords with transparent administration fees.¹
 - Scrapping the presumption for leaseholders to pay their landlords' legal costs when challenging poor practice.
 - Granting freehold homeowners on private and mixed tenure estates the same rights of redress as leaseholders.
8. The first LCM which I laid on 12 December 2023 includes more information on the provisions included in the Bill as introduced into Parliament on 27 November.
9. Amendments at House of Commons Committee stage are described in the second memorandum which I laid on 30 January. In brief, the main substantive amendments made at this stage were:
- Requirement for a notice of future service charge demand in relation to service charges and estate management charges which will be made after the normal 18-month time period.
 - A new power for the tribunal to appoint a manager in place of an estate charge manager, in certain circumstances.
 - New rights for leaseholders and homeowners subject to estate charges to request information to support a sale.
 - Exemptions to the new enfranchisement regime for leaseholders of the National Trust and for leaseholders of community housing providers.
 - Provision to reduce rent payable by an intermediate leaseholder affected by a leaseholder exercising the new right to an extended lease at a peppercorn ground rent.
 - Clarification of the enfranchisement rights available to leaseholders of shared ownership properties.
10. Amendments made at House of Commons Report stage are described in the third memorandum, which I laid on 4 March. Along with minor and technical amendments, the more substantial changes made at this stage addressed:
- Banning the use of leasehold for most new houses.
 - Clarification of how enfranchisement rights apply to shared ownership properties.
 - Clarification of the Bill's application to the Crown.

¹ In this document I refer to 'landlord' to denote the freeholder or superior leaseholder in leasehold arrangements, in order to avoid any confusion with the use of freeholder to describe homeowners subject to estate management charges which are the subject of Part 4 of the bill.

11. The Bill and the amendments which are the subject of this supplementary memorandum largely amend existing England and Wales leasehold legislation, most notably the Leasehold Reform Act 1967 (“LRA 1967”), the Leasehold Reform, Housing and Urban Development Act 1993 (“LRHUDA 1993”), the Commonhold and Leasehold Reform Act 2002 (“CLRA 2002”), and the Landlord and Tenant Act 1985 (“LTA 1985”).
12. The Bill also amends the remit of the devolved Leasehold Valuation Tribunal (“LVT”).

Update on position since the publication of the third Legislative Consent Memorandum

13. Frequent engagement between Welsh Government officials and their counterparts in the UK Government continues as the Bill progresses.
14. During the Report stage debate in the House of Commons and the second reading debate in the House of Lords, Ministers representing the UK Government indicated that they intend to make further amendments to the Bill, which have not yet been forthcoming, in areas including limitation of ground rent in existing leases, and leasehold forfeiture. Although it is not clear yet what other amendments may still be brought forward at House of Lords Report stage, I do expect to see amendments to the powers to make subordinate legislation, as a consequence of discussions which are still ongoing between officials.
15. An updated version of the Bill was published as the Bill moved to the House of Lords. Annex A contains a table which outlines the changes to clause numbers following the amendments made at each relevant stage of the Bill’s passage so far. Annex B indicates where clauses include regulation making powers, to whom they are currently extended and what procedure they are subject to.

Provisions tabled by the UK Government for consideration at House of Lords Committee stage for which consent is required

16. The amendments tabled by UK Government at this stage are minor and technical in nature, however I will give a brief explanation of their effect here. Amendment numbers quoted in this document refer to those used in the amendment paper published on 15 April, which is available at this link: [HL Bill 50\(e\) \(parliament.uk\)](https://www.parliament.uk/handout/hl-bill-50e).

Schedule 1 (Categories of permitted lease)

17. Amendment OPC457 to Schedule 1 brings the definition of shared ownership used in the leasehold house ban provisions into line with that being used elsewhere in the Bill, where it amends the enfranchisement rights for leaseholders of houses in LRA 1967.

Clause 27 (Removal of restrictions on repeated enfranchisement and extension claims)

18. Amendment OPC481 to clause 27, which amends LRA 1967, will prevent a landlord and tenant agreeing to restrict the tenant's ability to make repeated enfranchisement claims.

Schedule 3 (Eligibility for enfranchisement and extension: specific cases)

19. Amendments OPC399, OPC400 and OPC405 make amendment to Schedule 3 to reflect new legislation passed since the drafting of these provisions, and to correct references to bodies which have been abolished or succeeded. OPC 401 adds to a list of bodies to be treated as 'local authorities' for the purposes of section 57 of the Landlord and Tenant Act 1954.

Schedule 4 (Determining and sharing the market value)

20. Amendments OPC 493-500 correct terminology being used in this schedule to 'current lease', as used elsewhere, in order to avoid confusion. Amendments OPC458 and OPC490 also make corrections to terminology. Amendments OPC491 and OPC492 change wording to ensure that provisions in paragraph 8 and paragraph 25 refer only to the current lease where there is a series of chained leases.

Clause 41 (Amendment to Part 1 of the LRHUDA 1993)

21. Amendment OPC390 corrects an omission in the drafting. Amendment OPC389 makes the same correction in Schedule 9.

Clause 45 (LRA 1967: preservation of existing law for certain enfranchisements)

22. Amendment OPC408 requires specific leases created after a specified date to be subject to the new valuation method in this Bill, rather than allowing leaseholders of these properties to choose to use pre-2024 law to conduct their enfranchisement claims.

New clause after 45 (Part 2: consequential amendments to other legislation) and New Schedule before Schedule 9 (Part 2: consequential amendments to other legislation)

23. Amendment OPC411 introduces a new clause after clause 45 which itself introduces a new schedule which is set out under amendment OPC412. This new schedule makes amendment to other legislation consequential on Part 2 of the Bill. Amendments OPC410 and OPC409 to Schedule 8 are consequential on the moving of consequential amendments to the Housing and Planning Act 1986 into this new schedule.

Schedule 9 (Right to vary lease to replace ground rent with peppercorn rent)

24. OPC388 changes wording in this schedule to reflect terminology elsewhere in the Bill which refers to 'price' rather than 'premium'.

Clause 51 (Extension of regulation to fixed service charges)

25. Amendment OPC437 makes changes to the LTA 1987 to reflect the expansion of the leasehold service charge regime in LTA 1985 to fixed

service charges by this clause. OPC436 which amends this clause, and OPC438 which amends clause 53 are consequential on these changes.

Clause 54 (Accounts and annual reports)

26. OPC446 provides clarification of the new requirement on landlords to provide a report from a qualified accountant to confirm accuracy of accounts relating to service charges payable by leaseholders. OPC448 clarifies that fair and reasonable costs of abiding by the clarified requirements under OPC466 may form part of the variable service charge. OPC473 is consequential on OPC466. OPC450 will allow the appropriate authority to specify the necessary qualifications required for someone fulfilling the requirement under OPC466, and OPC451 sets out details about the regulation making power under this section; regulations will be subject to the affirmative procedure.

Schedule 10 (Part 4: consequential amendments)

27. Amendment OPC393 is consequential on clause 67 (LTA 1985: Crown application).

Clause 77 (Annual reports)

28. Amendments OPC391 and OPC392 align terminology with that used elsewhere in Part 5 of the Bill.

Clause 81 (Meaning of “administration charge”)

29. Amendment OPC453 makes changes to ensure that event fees in retirement accommodation do not meet the Bill definition of “administration charge”. Event fees are sums payable when specific circumstances arise, such as sale, sub-letting or change of occupancy.

30. In my opinion, the amendments proposed by UK Government do not change my view of the requirement for consent for those clauses and schedules they amend. Additionally, the new clause and new schedule proposed by amendments OPC411 and OPC412 also trigger the requirement for consent. The reason for this is that the clauses and schedules, as due to be amended by the UK Government at House of Lords Committee stage, make provision which is within the devolved competence of the Senedd, namely housing.

UK Government view on the need for consent

31. The UK Government has identified that in their view consent is required only in relation to the following amendments:

- OPC 412. This new Schedule includes provisions that generally relate to costs and service charges; the UK Government view is that these provisions do not relate to any reservations in the Government of Wales Act and no restrictions apply.
- OPC 411, which inserts the new Schedule created by OPC 412 into the Bill.

Reasons for making these provisions for Wales in the Leasehold and Freehold Reform Bill

32. The reasoning set out in previous LCMs on this Bill as to why it is appropriate for UK legislation to make provision for Wales in this Bill still stands. I again restate my arguments here for ease of reference.
33. I believe it appropriate to pursue joint England and Wales legislation to reform leasehold. In my view this approach will reduce complexity, maximise the clarity and coherence of the law and ensure the new fairer reformed system applies to all.
34. I have outlined above where there are differences between my view and the views of UK Government Ministers on the extent to which the Senedd could legislate for the provisions in this Bill. If we were to pursue a Wales-only Bill to achieve the same aims, and it was challenged as not within competence, there may be a significant delay in the benefit of the changes being felt by citizens in Wales. Taking a joint approach avoids this risk.
35. In my view, the interconnectedness and commonality of the law in this area mean that it is most effective and appropriate for provision for England and Wales to be taken forward at the same time in the same legislative instrument.
36. Similarly, given the complexity of the existing leasehold legislation, a coherent and consistent approach would be beneficial to both England and Wales, particularly given that England and Wales share a highly populated border region.
37. Finally, the previous First Minister's principles for recommending consent to provisions in UK Bills makes reference to it being unwise for the Welsh Government to adopt a self-denying ordinance. In my view, not taking the opportunity afforded by this Bill would represent such a policy.
38. As I set out in the previous memoranda on this Bill, although in my view the provisions of this Bill represent significant positive improvements for homeowners in Wales, there continues to be disagreement with UK Government as to the extent to which individual provisions are within the legislative competence of the Senedd, and the extent to which the Welsh Ministers should be able to exercise powers to make subordinate legislation flowing from the Bill. This applies again in the allocation of executive functions in these amendments. I continue to actively engage with UK Government to pursue this matter, and expect further amendments to be brought forward to address my concerns. I will update the Senedd on my progress in due course.

Financial implications

39. This Bill makes significant provision in relation to the devolved Leasehold Valuation Tribunal, which will have an impact on its powers and case load. Work is ongoing to assess the potential impact on the tribunal and to understand what the financial implications of that impact will be. The UK Government Impact Assessment for the Bill which covers the wider implications of the Bill as a whole, including the impacts on Wales may be found [here](#).

Conclusion

40. In my view it continues to be appropriate to deal with these provisions in this UK Bill as this approach will reduce complexity, maximise the clarity and coherence of the law and ensure the new fairer reformed system applies to all.

Julie James MS
Cabinet Secretary for Housing and Local Government
26 April 2024

Annex A - Comparison between versions of the Bill

Bill as introduced to the House of Commons on 27 November 2023

[Leasehold and Freehold Reform Bill \(parliament.uk\)](#)

Bill as amended at House of Commons Committee stage and published on 9 February 2024

[Leasehold and Freehold Reform Bill \(parliament.uk\)](#)

Bill as amended at House of Commons Report stage and published on 28 February 2024

[Leasehold and Freehold Reform Bill \(parliament.uk\)](#)

Clause description	Clause number		
	Introduction	As amended at House of Commons Committee stage	As amended at House of Commons Report stage
Part 1 – Leasehold houses			
<i>Ban on grant or assignment of certain long residential leases of houses</i>			
Ban on grant or assignment of certain long residential leases of houses			1
<i>Key definitions</i>			
Long residential leases of houses			2
Leases which have a long term			3
Series of leases whose term would extend beyond 21 years			4
Houses			5
Residential leases			6
Permitted leases			7
<i>Regulation of permitted leases</i>			
Permitted leases: certification by the appropriate tribunal			8
Permitted leases: marketing restrictions			9
Permitted leases: transaction warning conditions			10

<i>Land registration</i>			
Prescribed statements in new long leases			11
Restriction on title			12
<i>Redress</i>			
Redress: right to acquire a freehold or superior leasehold estate			13
Redress: application of the right to acquire			14
Redress: general provision			15
Redress regulations: exercising and giving effect to the right to acquire			16
<i>Enforcement</i>			
Enforcement by trading standards authorities			17
Financial penalties			18
Financial penalties: cross-border enforcement			19
Lead enforcement authority			20
General duties of lead enforcement authority			21
Enforcement by lead enforcement authority			22
Further powers and duties of enforcement authorities			23
<i>General</i>			
Power to amend: permitted leases and definitions			24
Interpretation of Part 1			
Part 2 - Leasehold enfranchisement and extension			
<i>Eligibility for enfranchisement and extension</i>			
Removal of qualifying period before enfranchisement and extension claims	1	1	26
Removal of restrictions on repeated enfranchisement and extension claims	2	2	27

Change of non-residential limit on collective enfranchisement claims	3	3	28
Eligibility for enfranchisement and extension: specific cases	4	4	29
<i>Effects of enfranchisement</i>			
Acquisition of intermediate interests in collective enfranchisement	5	5	30
Right to require leaseback by freeholder after collective enfranchisement	6	6	31
<i>Effects of extension</i>			
Longer lease extensions	7	7	32
Lease extensions under the LRA 1967 on payment of premium at peppercorn rent	8	8	33
<i>Price payable on enfranchisement or extension</i>			
LRA 1967: determining the price payable for freehold or lease extension	9	9	34
LRHUDA 1993: determining the price payable for collective enfranchisement or new lease	10	10	35
Enfranchisement or extension: new method for calculating price payable	11	11	36
<i>Costs of enfranchisement or extension</i>			
Costs of enfranchisement and extension under the LRA 1967	12	12	37
Costs of enfranchisement and	13	13	38

extension under the LRHUDA 1993			
<i>Jurisdiction of the county court and tribunals</i>			
Replacement of sections 20 and 21 of the LRA 1967	14	14	39
References to “the court” in Part 1 of the LRA 1967	15	15	40
Amendment of Part 1 of LRHUDA 1993	16	16	41
References to “the court” in Part 1 of LRHUDA 1993	17	17	42
<i>Jurisdiction of the High Court</i>			
No first-instance applications to the High Court in tribunal matters	18	18	43
<i>Enfranchisement and extension: miscellaneous amendments</i>			
Miscellaneous amendments	19	19	44
<i>Preservation of existing law for certain purposes</i>			
LRA 1967: preservation of existing law for certain enfranchisements	20	20	45
Part 23 – Other rights of long leaseholders			
<i>New right to replace rent with peppercorn rent</i>			
Right to vary long lease to replace rent with peppercorn rent	21	21	46
<i>The right to manage</i>			
Change of non-residential limit on right to manage claims	22	22	47
Costs of right to manage claims	23	23	48
Compliance with obligations arising under Chapter 1 of Part 2 of the CLRA 2002	24	24	49
No first-instance applications to the High Court in tribunal matters	25	25	50
Part 34 – Regulation of leasehold			

<i>Service charges</i>			
Extension of regulation to fixed service charges	26	26	51
Notice of future service charge demands		27	52
Service charge demands	27	28	53
Accounts and annual reports	28	29	54
Right to obtain information on request	29	30	55
Enforcement of duties relating to service charges	30	31	56
<i>Insurance</i>			
Limitation on ability of landlord to charge insurance costs	31	32	57
Duty to provide information about insurance to tenants	32	33	58
<i>Administration charges</i>			
Duty of landlords to publish administration charge schedules	33	34	59
<i>Litigation costs</i>			
Limits on rights of landlords to claim litigation costs from tenants	34	35	60
Rights of tenants to claim litigation costs from landlords	35	36	61
<i>Non-litigation costs: enfranchisement, extension and right to manage</i>			
Restriction on recovery of non-litigation costs of enfranchisement, extension and right to manage		37	62
<i>Appointment of manager by Tribunal</i>			
Appointment of manager: power to vary or discharge orders		38	63
Appointment of manager: breach of redress scheme requirements		39	64

<i>Sales information requests</i>			
Leasehold sales information requests		40	65
<i>General</i>			
Regulations under the LTA 1985: procedure and appropriate authority	36	41	66
LTA 1985: Crown application			67
Part 34: consequential amendments	37	42	68
Application of Part 34 to existing leases	38	43	69
Part 45 – Regulation of estate management			
<i>Key definitions</i>			
Meaning of “estate management” etc	39	44	70
<i>Limitation of estate management charges</i>			
Estate management charges: general limitations	40	45	71
Limitation of estate management charges: reasonableness	41	46	72
Limitation of estate management charges: consultation requirements	42	47	73
Limitation of estate management charges: time limits	43	48	74
Determination of tribunal as to estate management charges	44	49	75
<i>Rights relating to estate management charges</i>			
Demands for payment	45	50	76
Annual reports	46	51	77
Right to request information	47	52	78
Requests under section 47 52 78: further provision	48	53	79
Enforcement of sections 45 50 76 to 48 53-79	49	54	80
<i>Administration charges</i>			

Meaning of “administration charge”	50	55	81
Duty of estate managers to publish administration charge schedules	51	56	82
Enforcement of section 54 56 82	52	57	83
Limitation of administration charges	53	58	84
Determination of tribunal as to administration charges	54	59	85
<i>Codes of management practice</i>			
Codes of management practice: extension to estate managers	55	60	86
<i>Appointment of substitute manager by Tribunal</i>			
Notices of complaint		61	87
Appointment of substitute manager		62	88
Conditions for applying for appointment order		63	89
Criteria for determining whether to make appointment order		64	90
Appointment orders: further provision		65	91
<i>Sales information requests</i>			
Estate management: sales information requests		66	92
Effect of sales information request		67	93
Charges for provision of information		68	94
Enforcement of sections 67 93 and 68 94		69	95
<i>General</i>			
Part 4: application to government departments	56	70	removed
Part 5: Crown application			96
Interpretation of Part 4	57	71	97
Part 5 6 – Leasehold and estate management: redress schemes			
<i>Redress schemes: general</i>			

Leasehold and estate management: redress schemes		72	98
Redress schemes: voluntary jurisdiction		73	99
Financial assistance for establishment or maintenance of redress schemes		74	100
Approval and designation of redress schemes		75	101
Redress schemes: no Crown status			102
<i>Enforcement</i>			
Financial penalties		76	103
Financial penalties: maximum amounts		77	104
Decision under a redress scheme may be enforceable as if it were a court order		78	105
Lead enforcement authority: further provision		79	106
<i>Guidance</i>			
Guidance for enforcement authorities and scheme administrators		80	107
<i>Amendments to other Acts</i>			
Part 6: amendments to other Acts			108
<i>Interpretation</i>			
Interpretation of Part 5 6		81	109
Part 5 7 – Rentcharges			
Meaning of “estate rentcharge”	58	82	110
Regulation of remedies for arrears of rentcharges	59	83	111
Part 8 – Amendments of Part 5 of the Building Safety Act 2022			
<i>Remediation of building defects</i>			
Steps relating to remediation of defects			112
Remediation orders			113
Remediation contribution order			114

Recovery of legal costs etc through service charge			115
Repeal of section 125 of the BSA 2022			116
<i>Insolvency of responsible persons</i>			
Higher-risk and relevant buildings: notification in connection with insolvency			117
Part 6 9 - General			
Interpretation of references to other Acts	60	84	118
Power to make consequential provision	61	85	119
Regulations	62	86	120
Extent	63	87	121
Commencement	64	88	122
Short title	65	89	123
Categories of permitted lease			Schedule 1
Categories of permitted lease for Tribunal certification			Part 1
Categories of permitted lease for self-certification			Part 2
Leasehold houses: financial penalties			Schedule 2
Eligibility for enfranchisement and extension: specific cases	Schedule 1	Schedule 1	Schedule 3
Determining and sharing the market value	Schedule 2	Schedule 2	Schedule 4
Introduction	Part 1	Part 1	Part 1
The market value	Part 2	Part 2	Part 2
Determining the market value	Part 3	Part 3	Part 3
Assumptions and other matters affecting determination of market value	Part 4	Part 4	Part 4
The standard valuation method	Part 5	Part 5	Part 5
Entitlement of eligible persons to shares of the market value	Part 6	Part 6	Part 6
Determining the term value	Part 7	Part 7	Part 7

Other compensation	Schedule 3	Schedule 3	Schedule 5
Schedule 2 4 and Schedule 3 5: Interpretation	Schedule 4	Schedule 4	Schedule 6
Amendments consequential on section 44 36 and Schedules 2 4 to 4 6	Schedule 5	Schedule 5	Schedule 7
Leasehold enfranchisement and extension: miscellaneous amendments	Schedule 6	Schedule 6	Schedule 8
LRA 1967 and LRHUDA 1993: general	Part 1	Part 1	Part 1
Shared ownership leases and the LRA 1967 etc		Part 2	Part 2
Shared ownership leases and the LRHDA 1993		Part 3	Part 3
Other legislation	Part 2	Part 4	Part 4
Right to vary lease to replace rent with peppercorn rent	Schedule 7	Schedule 7	Schedule 9
Part 3: consequential amendments	Schedule 8	Schedule 8	Schedule 10
Amendments consequential on section 36 41	Part 1	Part 1	Part 1
Other consequential amendments	Part 2	Part 2	Part 2
Redress schemes: financial penalties		Schedule 9	Schedule 11
Part 6: amendments to other Acts			Schedule 12
Title			

Annex B – Power to make subordinate legislation

The information listed under ‘description’ is a brief summary. More detailed information about the powers in the Bill may be found in the Delegated Powers Memorandum at this link: [4513 \(parliament.uk\)](https://www.parliament.uk/delegated-powers-memorandum).

I have listed all powers in the Bill, but omitted information about the purpose of powers where the provisions apply only to England. These are shaded grey in the table.

Bill ref	Description	Exercisable by	Procedure
10	Permitted leases: transaction warning conditions (form, content, process for notice)	Secretary of State / Welsh Ministers	Negative
16	Redress regulations: exercising and giving effect to the right to acquire (wide ranging power to set and amend regulations for process and detail)	Secretary of State	Negative
18	Financial penalties (amend minimum and maximum)	Secretary of State	Negative
20	Lead enforcement authority (power to appoint and change)	Secretary of State	Negative
21	General duties of lead enforcement authority (power direct the lead enforcement authority)	Secretary of state	NA
24	Power to amend: permitted leases and definitions (amend definitions and add or remove categories of permitted leases)	Secretary of State	Some affirmative, some negative
37	Costs of enfranchisement and extension under the LRA 1967 (prescribe amounts of landlords non-litigation costs payable by enfranchisers, set circumstances where part of premium must be shared between landlords)	Secretary of State / Welsh Ministers	Negative
38	Costs of enfranchisement and extension under the LRHUDA 1993 (prescribe amounts of landlords non-litigation costs payable by enfranchisers, set circumstances where part of premium must be shared between landlords)	Secretary of State / Welsh Ministers	Negative
52	Notice of future service charge demands (form, content, process for notice)	Secretary of State / Welsh Ministers	Negative

53	Service charge demands (form, content, process for demand; power to exempt some landlords or charges from requirements)	Secretary of State / Welsh Ministers	Negative
54	Accounts and annual reports (form, content, process for accounts and reports; exemptions)	Secretary of State / Welsh Ministers	Negative
55	Right to obtain information on request (types of information, process of request, time period to comply)	Secretary of State / Welsh Ministers	Negative
56	Enforcement of duties relating to service charges (amend damages limit)	Secretary of State / Welsh Ministers	Negative
57	Limitation on ability of landlord to charge insurance costs (what may be considered as permitted payments)	Secretary of State / Welsh Ministers	Affirmative
58	Duty to provide information about insurance to tenants (types of information, time period to respond, form and manner of response, exceptions from requirements, amend damages limit)	Secretary of State / Welsh Ministers	Negative
59	Duty of landlords to publish administration charge schedules (meaning of 'building', form, publication and process for providing schedule, amend damages limit)	Secretary of State / Welsh Ministers	Negative
60	Limits on rights of landlords to claim litigation costs from tenants (matters the court or tribunal must consider, process of making application; form, content, process of notices)	Secretary of State / Welsh Ministers	Negative
61	Rights of tenants to claim litigation costs from landlords (matters the court or tribunal must consider, what are 'relevant proceedings' for this right to be exercised)	Secretary of State / Welsh Ministers	Negative
65	Leasehold sales information requests (what information to be provided, by whom, to whom, by when, what cost)	Secretary of State / Welsh Ministers	Negative
73	Limitation of estate management charges: consultation requirements (define appropriate amount, consultation requirements)	Secretary of State	Negative
74	Limitation of estate management charges: time limits (form, content, process for notice; 'relevant rule' for when charges may be made late)	Secretary of State	Negative

76	Demands for payment (form, content, process for demand; exemptions)	Secretary of State	Negative
77	Annual reports (form, content process for report; exemptions)	Secretary of State	Negative
78	Right to request information (types of information, process of request)	Secretary of State	Negative
79	Requests under section 78: further provision (time period to comply with requests)	Secretary of State	Negative
80	Enforcement of sections 76 to 79 (amend damages limit)	Secretary of State / Welsh Ministers	Negative
81	Meaning of “administration charge” (amend definition)	Secretary of State / Welsh Ministers	Affirmative
82	Duty of estate managers to publish administration charge schedules (form, content, process for schedule)	Secretary of State / Welsh Ministers	Negative
83	Enforcement of section 82 (amend damages limit)	Secretary of State / Welsh Ministers	Negative
87	Notices of complaint (content of notice, when it may be given)	Secretary of State	Negative
89	Conditions for applying for appointment order (content of final warning notice, when it may be given)	Secretary of State	Negative
90	Criteria for determining whether to make appointment order (circumstances when the tribunal would be prevented from making an appointment)	Secretary of State	Negative
92	Estate management: sales information requests (form, content, process for information request)	Secretary of State / Welsh Ministers	Negative
93	Effect of sales information request (time limit to reply, manner of replying)	Secretary of State / Welsh Ministers	Negative
94	Charges for provision of information (limit amount that can be charged)	Secretary of State / Welsh Ministers	Negative
95	Enforcement of sections 93 and 94 (amend damages limit)	Secretary of State / Welsh Ministers	Negative
98	Leasehold and estate management: redress schemes	Secretary of State (England only)	Affirmative

101	Approval and designation of redress schemes	Secretary of State (England only)	Affirmative
103	Financial penalties	Secretary of State (England only)	Affirmative
104	Financial penalties: maximum amounts	Secretary of State (England only)	Negative
105	Decision under a redress scheme may be enforceable as if it were a court order	Secretary of State (England only)	Negative
106	Lead enforcement authority: further provision	Secretary of State (England only)	Negative /None
111	Regulation of remedies for arrears of rent charges (limit amount payable for action to recover or compel payment of arrears)	Secretary of State	Negative
114	Remediation contribution order	Secretary of State (England only)	Negative
119	Power to make consequential provision (includes provision to amend Acts of Parliament)	Secretary of State	Affirmative if amending Act or Parliament, otherwise negative
122	Commencement (power to commence, make transitional or savings provision)	Secretary of State	Negative
Sch 1	Categories of permitted lease (amend definitions of community housing, retirement housing, shared ownership and home finance plan leases)	Secretary of State	Negative
Sch 2	Leasehold houses: financial penalties (manner for providing notices)	Secretary of State	Negative
Sch 3	Eligibility for enfranchisement and extension: specific cases (description of community led housing provider, process for application or cancellation of certificate, matters for	Secretary of State	Affirmative for community housing powers,

	tribunal to have regard to; prescribe 'National Trust buy-back term' and make provision for 'protected National Trust tenancy')		negative for National Trust powers
Sch 4	Determining and sharing the market value (set deferment and capitalisation rates)	Secretary of State	Negative
Sch 8	Leasehold enfranchisement and extension: miscellaneous amendments (which shared ownership leases should be excluded from enfranchisement rights)	Secretary of State	Negative
Sch 9	Right to vary lease to replace rent with peppercorn rent (landlord non-litigation costs payable by leaseholder; power to give effect to the right; power to amend qualifying criteria for the right)	Some Secretary of State, some Welsh Ministers (those relating to costs)	Negative