

*These notes refer to the Housing (Wales) Act 2014 (c.7)
which received Royal Assent on 17 September 2014*

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 8 Amendment of the Leasehold Reform, Housing and Urban Development Act 1993

255. The Leasehold Reform, Housing and Urban Development Act 1993 allows tenants of flats in England and Wales which are subject to certain long leases to exercise: a) a right of collective enfranchisement under Chapter 1 of that Act (a right to have the freehold of the building in which flats are contained to be purchased on behalf of the tenants); b) a right under Chapter 2 of that Act to acquire a new lease of their flats.
256. A claim to exercise either right is made by giving notice; section 13 of the 1993 Act deals with notices to claim to exercise the right of collective enfranchisement under Chapter 1, and section 42 of that Act deals with claims to exercise the right to acquire a new lease under Chapter 2.
257. Currently, section 99(5) of the 1993 Act requires notices given under sections 13 and 42 to be signed by the tenant or tenants giving notice if that tenant or those tenants are in Wales. The amendment to section 99(5) made by this section will allow tenants in Wales to choose whether to sign notices themselves or have notices signed on their behalf. This greater flexibility was introduced in relation to tenants in England earlier in 2014 by the Leasehold Reform (Amendment) Act 2014. The 2014 Act no longer has a purpose given the provision made by this section; accordingly, subsection (2) provides for its repeal.