

These notes refer to the Commonhold and Leasehold Reform Act 2002 (c.15) which received Royal Assent on 1st May 2002

COMMONHOLD AND LEASEHOLD REFORM ACT 2002

EXPLANATORY NOTES

COMMENTARY ON THE SECTIONS: PART 1

Effect of registration

Section 8: Transitional period

55. [Section 8](#) recognises that there will inevitably be a period during which it will be necessary to make decisions in relation to the land and the management of the development, between the time that the land is registered as commonhold and the time that commonhold is, so to speak, perfected by the sale of the first unit to a unit-holder under section 7(3). [Subsections \(2\) and \(3\)](#) together make provision for regulations to disapply or modify the effect of any provision of Part 1 of the Act, or any subordinate legislation made under it, or any provision of a commonhold community statement or memorandum and articles of a commonhold association. As pointed out in the introduction, part of the essence of commonhold will be standardisation of documents and rules and regulations, but whilst the transitional period has effect, it would be unworkable to insist that the applicant operate under the full panoply of commonhold regulation. [Subsection \(4\)](#) allows the applicant to apply for the registration of the land as commonhold to be undone, and [subsection \(5\)](#) ensures that all those from whom it was necessary to obtain consents in order to register also consent to the de-registration. [Subsections \(4\) and \(5\)](#) are chiefly to allow developers to respond to commercial circumstances. [Subsection \(6\)](#) provides for references in the Act to a commonhold association exercising functions in relation to commonhold land to apply also to land which is in a transitional period as defined by the earlier subsections of this section.