Commonhold and Leasehold Reform Act 2002

2002 CHAPTER 15

PART 2

LEASEHOLD REFORM

CHAPTER 5

OTHER PROVISIONS ABOUT LEASES

Variation of leases

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(1) Part 4 of the 1987 Act (variation of leases) is amended as follows.

(2) In section 35 (application by party to lease for variation of lease)—
  (a) in subsection (1), for "the court" substitute "a leasehold valuation tribunal", and
  (b) in subsection (5), for "Rules of court" substitute "Procedure regulations under Schedule 12 to the Commonhold and Leasehold Reform Act 2002".

(3) In section 36(1) (application by respondent for variation of other leases), for "court" substitute "tribunal".

(4) In section 37(1) (application by majority of parties for variation of leases), for "the court" substitute "a leasehold valuation tribunal".

(5) In section 38 (orders varying leases)—
  (a) in subsections (1) to (5), for "court" (in each place) substitute "tribunal",
  (b) in subsection (6)—
     (i) for "The court" substitute "A tribunal", and

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          (ii) for "the court" substitute "the tribunal",

    (c)   in subsections (7) to (9), for "The court" substitute "A tribunal", and

    (d)   in subsection (10)—

          (i) for "the court", in the first place, substitute "a tribunal", and

          (ii) for "the court", in the other two places, substitute "the tribunal".

(6) In section 39 (applications by third parties for orders varying leases)—

    (a)   in subsection (3)(b), for "the court" substitute "a leasehold valuation tribunal",

    (b)   in subsection (4), for "The court" substitute "A tribunal", and

    (c)   in subsection (5)(b), for "court" substitute "tribunal".

(7) In section 40(1) (variation of insurance provisions of dwelling other than flat), for "the court" substitute "a leasehold valuation tribunal".

(8) In consequence of the preceding provisions, in section 52(2)(a) of the 1987 Act (jurisdiction of county courts), for ", 3 and 4" substitute "and 3".