



# Housing and Planning Act 2016

## 2016 CHAPTER 22

### PART 5

#### HOUSING, ESTATE AGENTS AND RENTCHARGES: OTHER CHANGES

##### *Electrical safety standards*

#### **122 Electrical safety standards for [<sup>F1</sup>residential properties let by landlords]**

- (1) The Secretary of State may by regulations impose duties on a <sup>F2</sup>... landlord of residential premises in England [<sup>F3</sup>to whom this section applies] for the purposes of ensuring that electrical safety standards are met during any period when the premises are occupied under a tenancy.

[<sup>F4</sup>(1A) This section applies to a landlord who is—

- (a) a private landlord, or
  - (b) a registered provider of social housing.]
- (2) “Electrical safety standards” means standards specified in, or determined in accordance with, the regulations in relation to—
- (a) the installations in the premises for the supply of electricity, or
  - (b) electrical fixtures, fittings or appliances provided by the landlord.
- (3) The duties imposed on the landlord may include duties to ensure that a qualified person has checked that the electrical safety standards are met.
- (4) The regulations may make provision about—
- (a) how and when checks are carried out;
  - (b) who is qualified to carry out checks.
- (5) The regulations may require the landlord—
- (a) to obtain a certificate from the qualified person confirming that electrical safety standards are met, and

*Status: This version of this part contains provisions that are prospective.*

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- (b) to give a copy of a certificate to the tenant, or a prospective tenant, or any other person specified in the regulations.

(6) In this section—

“premises” includes land, buildings, moveable structures, vehicles and vessels;

“private landlord” means a landlord who is not within section 80(1) of the Housing Act 1985 (the landlord condition for secure tenancies);

“residential premises” means premises all or part of which comprise a dwelling;

“tenancy” includes a licence to occupy (and “landlord” is to be read accordingly).

#### Textual Amendments

- F1** Words in s. 122 heading substituted (20.7.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), ss. 11\(2\), 46\(1\)\(a\)](#)
- F2** Word in s. 122(1) omitted (20.7.2023) by virtue of [Social Housing \(Regulation\) Act 2023 \(c. 36\), ss. 11\(3\)\(a\), 46\(1\)\(a\)](#)
- F3** Words in s. 122(1) inserted (20.7.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), ss. 11\(3\)\(b\), 46\(1\)\(a\)](#)
- F4** S. 122(1A) inserted (20.7.2023) by [Social Housing \(Regulation\) Act 2023 \(c. 36\), ss. 11\(4\), 46\(1\)\(a\)](#)

#### Commencement Information

- I1** S. 122 in force at 25.10.2019 by [S.I. 2019/1359, reg. 2](#)

## 123 Electrical safety standards: enforcement

- (1) Regulations under section 122 may provide for covenants to be implied into a tenancy.
- (2) Regulations under that section—
- (a) may make provision about the enforcement of a duty imposed by the regulations;
- (b) may confer functions on a local housing authority in England.
- (3) The provision that may be made about enforcement includes provision—
- (a) requiring a landlord who fails to comply with a duty imposed by the regulations to pay a financial penalty (or more than one penalty in the event of a continuing failure);
- (b) conferring power on a local housing authority to arrange for a person to enter on the premises, with the consent of the tenant, to remedy any failure by the landlord to comply with a duty imposed by the regulations.
- (4) The provision that may be made in reliance on subsection (3)(a) includes provision—
- (a) about the procedure to be followed in imposing penalties;
- (b) about the amount of penalties;
- (c) conferring rights of appeal against penalties;
- (d) for the enforcement of penalties;
- (e) about the application of sums paid by way of penalties (and such provision may permit or require the payment of sums into the Consolidated Fund).

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- (5) The provision that may be made in reliance on subsection (3)(b) includes provision—
- (a) about procedural matters;
  - (b) enabling a local housing authority to recover from the landlord any costs incurred by it in remedying the failure;
  - (c) about the application of costs recovered (and such provision may permit or require the payment of sums into the Consolidated Fund).
- (6) In this section “local housing authority” has the meaning given by section 1 of the Housing Act 1985.

#### Commencement Information

**I2** [S. 123](#) in force at 25.10.2019 by [S.I. 2019/1359](#), [reg. 2](#)

### *Accommodation needs in England*

#### **124 Assessment of accommodation needs**

- (1) In section 8 of the Housing Act 1985 (periodical review of housing needs), after subsection (2) insert—
- “(3) In the case of a local housing authority in England, the duty under subsection (1) includes a duty to consider the needs of people residing in or resorting to their district with respect to the provision of—
- (a) sites on which caravans can be stationed, or
  - (b) places on inland waterways where houseboats can be moored.
- (4) In subsection (3)—
- “caravan” has the meaning given by section 29 of the Caravan Sites and Control of Development Act 1960;
- “houseboat” means a boat or similar structure designed or adapted for use as a place to live.”
- (2) In the Housing Act 2004 omit sections 225 and 226 (accommodation needs of gypsies and travellers).

### *Housing regulation in England*

PROSPECTIVE

#### **125 Licences for HMO and other rented accommodation: additional tests**

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 63 (application for licences: houses in multiple occupation), in subsection (6)(c), after “information” insert “ or evidence ”.
- (3) In section 66 (tests for fitness and satisfactory management arrangements: houses in multiple occupation)—
- (a) after subsection (1) insert—

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- “(1A) A local housing authority in England must also have regard to any evidence within subsection (3A) or (3B).”;
- (b) in subsection (2), in paragraph (c), after “tenant law” insert “ (including Part 3 of the Immigration Act 2014) ”;
- (c) after subsection (3) insert—
- “(3A) Evidence is within this subsection if it shows that P—
- (a) requires leave to enter or remain in the United Kingdom but does not have it; or
- (b) is insolvent or an undischarged bankrupt.
- (3B) Evidence is within this subsection if—
- (a) it shows that any person associated or formerly associated with P (whether on a personal, work or other basis) is a person to whom subsection (3A)(a) or (b) applies; and
- (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder or (as the case may be) the manager of the house.”
- (4) In section 70 (revocation of licences), in subsection (2), in the words after paragraph (c)—
- (a) for “Section 66(1) applies” substitute “ Section 66(1) and (1A) apply ”;
- (b) for “it applies” substitute “ they apply ”.
- (5) In section 87 (application for licences: certain other houses), in subsection (6)(c) after “information” insert “ or evidence ”.
- (6) In section 89 (tests for fitness and satisfactory management arrangements: certain other houses)—
- (a) after subsection (1) insert—
- “(1A) A local housing authority in England must also have regard to any evidence within subsection (3A) or (3B).”;
- (b) in subsection (2), in paragraph (c), after “tenant law” insert “ (including Part 3 of the Immigration Act 2014) ”;
- (c) after subsection (3) insert—
- “(3A) Evidence is within this subsection if it shows that P—
- (a) requires leave to enter or remain in the United Kingdom but does not have it; or
- (b) is insolvent or an undischarged bankrupt.
- (3B) Evidence is within this subsection if—
- (a) it shows that any person associated or formerly associated with P (whether on a personal, work or other basis) is a person to whom subsection (3A)(a) or (b) applies; and
- (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder or (as the case may be) the manager of the house.”
- (7) In section 93, in subsection (2), in the words after paragraph (c)—
- (a) for “Section 89(1) applies” substitute “ Section 89(1) and (1A) apply ”;

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(b) for “it applies” substitute “ they apply ”.

## 126 Financial penalty as alternative to prosecution under Housing Act 2004

Schedule 9 amends the Housing Act 2004 to allow financial penalties to be imposed as an alternative to prosecution for certain offences.

### Commencement Information

- I3** S. 126 in force at 10.3.2017 for specified purposes by S.I. 2017/281, reg. 3(b)  
**I4** S. 126 in force at 6.4.2017 in so far as not already in force by S.I. 2017/281, reg. 4(f)

PROSPECTIVE

## 127 Offence of contravening an overcrowding notice: level of fine

- (1) Section 139 of the Housing Act 2004 (overcrowding notices) is amended as follows.
- (2) In subsection (7), omit “and is liable on summary conviction to a fine not exceeding level 4 on the standard scale”.
- (3) After subsection (7) insert—
  - “(7A) A person who commits an offence under subsection (7) in relation to premises in England is liable on summary conviction to a fine.
  - (7B) A person who commits an offence under subsection (7) in relation to premises in Wales is liable on summary conviction to a fine not exceeding level 4 on the standard scale.”

### *Housing information in England*

## 128 Tenancy deposit information

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 212 (tenancy deposit schemes), after subsection (6) insert—
  - “(6A) For further provision about what must be included in the arrangements, see section 212A.”
- (3) After section 212 insert—

### “212A Provision of information to local authorities

- (1) Arrangements under section 212(1) made by the Secretary of State must require the scheme administrator—
  - (a) to give a local housing authority in England any specified information that they request, or
  - (b) to provide facilities for the sharing of specified information with a local housing authority in England.

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- (2) In subsection (1) “specified information” means information, of a description specified in the arrangements, that relates to a tenancy of premises in the local housing authority's area.
  - (3) Arrangements made by virtue of this section may make the requirement to provide information or facilities to a local housing authority conditional on the payment of a fee.
  - (4) Arrangements made by virtue of this section may include supplementary provision, for example about—
    - (a) the form or manner in which any information is to be provided,
    - (b) the time or times at which it is to be provided, and
    - (c) the notification of anyone to whom the information relates.
  - (5) Information obtained by a local housing authority by virtue of this section may be used only—
    - (a) for a purpose connected with the exercise of the authority's functions under any of Parts 1 to 4 in relation to any premises, or
    - (b) for the purpose of investigating whether an offence has been committed under any of those Parts in relation to any premises.
  - (6) Information obtained by a local housing authority by virtue of this section may be supplied to a person providing services to the authority for a purpose listed in subsection (5).
  - (7) The Secretary of State may by regulations amend the list of purposes in subsection (5).”
- (4) In section 250(6) (affirmative instruments), after paragraph (b) insert—
- “(ba) regulations under section 212A.”.

**Commencement Information**

**I5** S. 128 in force at 6.4.2017 by S.I. 2017/281, reg. 4(g)

**129 Use of information obtained for certain other statutory purposes**

- (1) The Housing Act 2004 is amended as follows.
- (2) In section 237 (use of information obtained for certain other statutory purposes) after subsection (2) insert—
  - “(3) The Secretary of State may by regulations amend this section so as to change the list of purposes for which a local housing authority in England may use information to which it applies.”
- (3) In section 250(6) (affirmative instruments), after paragraph (c) insert—
  - “(ca) regulations under section 237.”.

**Commencement Information**

**I6** S. 129 in force at 6.4.2017 by S.I. 2017/281, reg. 4(g)

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### **130 Tenants' associations: power to request information about tenants**

After section 29 of the Landlord and Tenant Act 1985 insert—

#### **“29A Tenants' associations: power to request information about tenants**

- (1) The Secretary of State may by regulations impose duties on a landlord to provide the secretary of a relevant tenants' association with information about relevant qualifying tenants.
- (2) The regulations may—
  - (a) make provision about the tenants about whom information must be provided and what information must be provided;
  - (b) require a landlord to seek the consent of a tenant to the provision of information about that tenant;
  - (c) require a landlord to identify how many tenants have not consented.
- (3) The regulations may—
  - (a) authorise a landlord to charge costs specified in or determined in accordance with the regulations;
  - (b) impose time limits on a landlord for the taking of any steps under the regulations;
  - (c) make provision about the form or content of any notices under the regulations (including provision permitting or requiring a person to design the form of a notice);
  - (d) make other provision as to the procedure in connection with anything authorised or required by the regulations.
- (4) The regulations may confer power on a court or tribunal to make an order remedying a failure by a landlord to comply with the regulations.
- (5) The regulations may include supplementary, incidental, transitional or saving provision.
- (6) Regulations under this section are to be made by statutory instrument.
- (7) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) In this section—
 

“relevant tenants' association”, in relation to a landlord, means an association of tenants of the landlord at least one of whom is a qualifying tenant of a dwelling in England;

“relevant qualifying tenant” means—

  - (a) a person who is a qualifying tenant of a dwelling in England and a member of the relevant tenants' association, or
  - (b) a person who is a qualifying tenant of a dwelling in England by virtue of being required to contribute to the same costs as a qualifying tenant who is a member of the relevant tenants' association;

“qualifying tenant” means a tenant who, under the terms of the lease, is required to contribute to the same costs as another tenant by the payment of a service charge.”

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### *Administration charges*

#### **131 Limitation of administration charges: costs of proceedings**

In Schedule 11 to the Commonhold and Leasehold Reform Act 2002 (administration charges), after paragraph 5 insert—

##### **“Limitation of administration charges: costs of proceedings**

- 5A (1) A tenant of a dwelling in England may apply to the relevant court or tribunal for an order reducing or extinguishing the tenant's liability to pay a particular administration charge in respect of litigation costs.
- (2) The relevant court or tribunal may make whatever order on the application it considers to be just and equitable.
- (3) In this paragraph—
- (a) “litigation costs” means costs incurred, or to be incurred, by the landlord in connection with proceedings of a kind mentioned in the table, and
  - (b) “the relevant court or tribunal” means the court or tribunal mentioned in the table in relation to those proceedings.

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##### ***Proceedings to which costs “The relevant court or tribunal” relate***

Court proceedings	The court before which the proceedings are taking place or, if the application is made after the proceedings are concluded, the county court
First-tier Tribunal proceedings	The First-tier Tribunal
Upper Tribunal proceedings	The Upper Tribunal
Arbitration proceedings	The arbitral tribunal or, if the application is made after the proceedings are concluded, the county court.”

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##### **Commencement Information**

**I7** S. 131 in force at 6.4.2017 by S.I. 2017/281, reg. 4(h) (with reg. 6)

### *Enforcement of estate agents legislation*

#### **132 Estate agents: lead enforcement authority**

(1) Before section 25 of the Estate Agents Act 1979 insert—

##### **“24A Lead enforcement authority**

- (1) In this Act “the lead enforcement authority” means—
- (a) the Secretary of State, or



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- (b) a person whom the Secretary of State has arranged to be the lead enforcement authority in accordance with subsection (2).
- (2) The Secretary of State may make arrangements for one of the following to be the lead enforcement authority for the purposes of this Act (for the whole of the United Kingdom) instead of the Secretary of State—
- (a) a local weights and measures authority in Great Britain, or
  - (b) the Department of Enterprise, Trade and Investment in Northern Ireland.
- (3) The arrangements—
- (a) may include provision for payments by the Secretary of State;
  - (b) may include provision about bringing the arrangements to an end.
- (4) The Secretary of State may by regulations made by statutory instrument make transitional provision for when there is a change in the lead enforcement authority.
- (5) The regulations may relate to a specific change in the lead enforcement authority or to changes that might arise from time to time.”
- (2) In section 26(1) of that Act (enforcement authorities), in paragraph (c), for “Department of Commerce for Northern Ireland” substitute “ Department of Enterprise, Trade and Investment in Northern Ireland ”.
- (3) In section 33(1) of that Act (general interpretation), for the definition of “the lead enforcement authority” substitute—
- ““the lead enforcement authority” has the meaning given by section 24A;”.
- (4) In paragraph 13(9) of Schedule 5 to the Consumer Rights Act 2015 (powers under Part 3 of that Schedule to be exercisable for the purposes of certain functions of the lead enforcement authority) after “Great Britain” insert “ , the Department of Enterprise, Trade and Investment in Northern Ireland or the Secretary of State ”.

#### Commencement Information

**I8** S. 132 in force at 1.10.2016 by S.I. 2016/733, reg. 4(1)(a)

### *Client money protection schemes for property agents*

#### **133 Power to require property agents to join client money protection schemes**

- (1) The Secretary of State may by regulations require a property agent to be a member of—
- (a) a client money protection scheme approved by the Secretary of State for the purpose of the regulations, or
  - (b) a government administered client money protection scheme that is designated by the Secretary of State for the purpose of the regulations.
- (2) The regulations may impose requirements about the nature of the membership that a property agent must obtain (for example, by requiring a property agent to obtain membership that results in a particular level of compensation being available).

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- (3) The regulations shall—
- (a) require a property agent to obtain a certificate confirming the property agent's membership of the scheme;
  - (b) require the property agent to display or publish the certificate in accordance with the regulations;
  - (c) require the property agent to produce a copy of the certificate, on request, in accordance with the regulations.

- (4) In this section—

“client money protection scheme” means a scheme which enables a person on whose behalf a property agent holds money to be compensated if all or part of that money is not repaid in circumstances in which the scheme applies;

“government administered client money protection scheme” means a client money protection scheme that is administered by or on behalf of the Secretary of State;

“property agent” means—

- (a) a person who engages in English letting agency work within the meaning of section 54, or
- (b) a person who engages in English property management work within the meaning of section 55,

other than a person who engages in that work in the course of the person's employment under a contract of employment.

#### **Commencement Information**

**I9** S. 133 in force at 19.3.2018 by S.I. 2018/251, reg. 3(a)

### **134 Client money protection schemes: approval or designation**

- (1) The Secretary of State may by regulations make provision about the approval or designation of client money protection schemes for the purposes of regulations under section 133.
- (2) The regulations may, in particular, make provision about—
  - (a) the making of applications for approval,
  - (b) conditions which must be satisfied before approval may be given or a scheme may be designated;
  - (c) conditions which must be complied with by administrators of approved or designated client money protection schemes (including conditions requiring the issue of certificates for the purposes of regulations under section 133(3) and about the form of those certificates);
  - (d) the withdrawal of approval or revocation of a designation.
- [<sup>F5</sup>(3) Regulations under this section may confer a discretion on the Secretary of State in connection with—
  - (a) the approval or designation of a client money protection scheme,
  - (b) conditions which must be complied with by the administrator of such a scheme,
  - (c) the amendment of such a scheme, or

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(d) the withdrawal of approval or revocation of designation of such a scheme.]

#### Textual Amendments

**F5** S. 134(3) inserted (1.6.2019) by [Tenant Fees Act 2019 \(c. 4\)](#), **ss. 21(2)**, 34(1); S.I. 2019/857, reg. 3(t)

#### Commencement Information

**I10** S. 134 in force at 19.3.2018 by [S.I. 2018/251](#), **reg. 3(b)**

### 135 Enforcement of client money protection scheme regulations

- (1) The Secretary of State may by regulations make provision about the enforcement of a duty imposed by regulations under section 133.
- (2) The regulations may—
  - (a) confer functions on a local authority in England;
  - (b) require a property agent who fails to comply with a duty imposed by regulations under 133 to pay a financial penalty (or more than one penalty in the event of a continuing failure).
- (3) The provision that may be made under subsection (2)(a) includes provision requiring a local authority in England, when carrying out functions under the regulations, to have regard to guidance given by the Secretary of State [<sup>F6</sup>or the lead enforcement authority (if not the Secretary of State)].
- (4) The provision that may be made under subsection (2)(b) includes provision—
  - (a) about the procedure to be followed in imposing penalties;
  - (b) about the amount of penalties;
  - (c) conferring rights of appeal against penalties;
  - (d) for the enforcement of penalties;
  - (e) authorising a local authority in England to use sums paid by way of penalties for the purposes of any of its functions [<sup>F7</sup>(whether or not the function is expressed to be a function of a local weights and measures authority)].
- [<sup>F8</sup>(5) In this section “local authority in England” means a local weights and measures authority in England.]
- [<sup>F9</sup>(6) For provisions about enforcement of regulations under section 133 or 134 or under this section by the lead enforcement authority, see sections 24 to 26 of the Tenant Fees Act 2019.
- (7) In this section “lead enforcement authority” has the meaning given by section 24(1) of the Tenant Fees Act 2019.]

#### Textual Amendments

**F6** Words in s. 135(3) inserted (15.4.2019) by [Tenant Fees Act 2019 \(c. 4\)](#), **ss. 29(5)(a)**, 34(1); S.I. 2019/857, reg. 2(d)

**F7** Words in s. 135(4)(e) inserted (1.4.2019) by [Tenant Fees Act 2019 \(c. 4\)](#), **ss. 21(3)(a)**, 34(1); S.I. 2019/428, reg. 2(a)

**F8** S. 135(5) substituted (1.4.2019) by [Tenant Fees Act 2019 \(c. 4\)](#), **ss. 21(3)(b)**, 34(1); S.I. 2019/428, reg. 2(a)

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**F9** S. 135(6)(7) inserted (15.4.2019) by [Tenant Fees Act 2019 \(c. 4\)](#), **ss. 29(5)(b)**, 34(1); S.I. 2019/857, reg. 2(d)

**Commencement Information**

**III** S. 135 in force at 19.3.2018 by [S.I. 2018/251](#), **reg. 3(c)**

*Enfranchisement and extension of long leaseholds*

**136 Enfranchisement and extension of long leaseholds: calculations**

Schedule 10 changes the method of calculating certain amounts under—

- (a) the Leasehold Reform Act 1967, and
- (b) the Leasehold Reform, Housing and Urban Development Act 1993.

*Rentcharges*

**137 Redemption price for rentcharges**

- (1) The Rentcharges Act 1977 is amended as follows.
- (2) In section 9(4)(a), after “in accordance with” insert “ regulations under ”.
- (3) In section 10, for subsection (1) substitute—
  - “(1) For the purposes of section 9 above, the redemption price for a rentcharge is to be calculated in accordance with regulations made by the Secretary of State.”
- (4) In section 12(2), after “such” insert “ transitional, ”.
- (5) The amendments made by this section apply in relation to cases where—
  - (a) an application for a redemption certificate is made under section 8 of the Rentcharges Act 1977 before this Act is passed, but
  - (b) the instructions for redemption have not been served on the applicant under section 9(4) of the Rentcharges Act 1977 before this Act is passed,
 as well as to cases involving an application for a redemption certificate made after this Act is passed.

PROSPECTIVE

**138 Procedure for redeeming English rentcharges**

- (1) The Rentcharges Act 1977 is amended in accordance with subsections (2) to (5).
- (2) Before section 8 (but after the italic heading before section 8) insert—
  - “7A Power to make procedure for redeeming English rentcharges**
  - (1) The Secretary of State may by regulations make provision allowing the owner of land in England affected by a rentcharge to redeem it.
  - (2) Regulations under subsection (1) may not make provision in relation to—

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- (a) a rentcharge that could be redeemed by making an application under section 8(1A),
  - (b) a rentcharge of a kind mentioned in section 2(3) or section 3(3)(a),
  - (c) a rentcharge in respect of which the period for which it is payable cannot be ascertained, or
  - (d) a variable rentcharge.
- (3) For the purposes of subsection (2)(d) a rentcharge is variable if the amount of the rentcharge will, or may, vary in the future in accordance with the provisions of the instrument under which it is payable.
- (4) Regulations under subsection (1) may, in particular—
- (a) provide for the owner of land affected by a rentcharge to be able to redeem a rentcharge by taking specified steps, including making payments determined in accordance with the regulations;
  - (b) require a rent owner or other person to take specified steps to facilitate the redemption of a rentcharge, such as providing information or executing a deed of release;
  - (c) where the documents of title of the owner of land affected by a rentcharge are in the custody of a mortgagee, require the mortgagee to make those documents or copies of those documents available in accordance with the regulations;
  - (d) permit or require a person specified in the regulations to design the form of any document to be used in connection with the redemption of rentcharges under the regulations;
  - (e) provide for a court or tribunal to—
    - (i) determine disputes about or in relation to the redemption of a rentcharge;
    - (ii) make orders about the redemption of a rentcharge;
    - (iii) issue a redemption certificate;
  - (f) make provision corresponding to any of the provisions of section 10(2) to (4).
- (5) Nothing in this section prevents the redemption of a rentcharge otherwise than in accordance with regulations under subsection (1).”
- (3) In section 8—
- (a) in subsection (1)—
    - (i) after “land” insert “ in Wales ”;
    - (ii) for the words from “a certificate” to the end substitute “ a redemption certificate ”;
  - (b) after subsection (1) insert—
 

“(1A) The owner of any land in England affected by a rentcharge which has been apportioned to that land by an apportionment order with a condition under—

    - (a) section 7(2) above, or
    - (b) section 20(1) of the Landlord and Tenant Act 1927,

may apply to the Secretary of State, in accordance with this section, for a redemption certificate.”

*Status: This version of this part contains provisions that are prospective.*

**Changes to legislation:** *Housing and Planning Act 2016, PART 5 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(4) In section 12—

- (a) in subsection (1), after “this Act” insert “, apart from regulations under section 7A,”;
- (b) after subsection (1) insert—

“(1A) Regulations under section 7A are to be made by statutory instrument.

(1B) A statutory instrument containing regulations under section 7A may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.”

(5) In section 13(1), in the definition of “redemption certificate”, for the words from “has” to the end substitute “ means a certificate certifying that a rentcharge has been redeemed ”.

(6) The Leasehold Reform Act 1967 is amended in accordance with subsections (7) and (8).

(7) In section 8(4)(b), for “8” substitute “ 7A ”.

(8) In section 11—

- (a) in subsection (6), after “1977” insert “ or the amount that would have to be paid to secure the redemption of that rentcharge in accordance with regulations made under section 7A of that Act ”;
- (b) in subsection (7)(a), after “specified” insert “ or required ”;
- (c) in subsection (8), for “8” substitute “ 7A ”.

**Status:**

This version of this part contains provisions that are prospective.

**Changes to legislation:**

Housing and Planning Act 2016, PART 5 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 95(1)(ia) inserted by [2023 c. 36 Sch. 1 para. 2](#)
- s. 100(7)(aa) inserted by [2023 c. 36 Sch. 1 para. 3](#)
- s. 172(1)(a) words renumbered as s. 172(1)(a) by [2017 c. 20 s. 26\(8\)\(a\)\(i\)](#)
- s. 172(1)(b) inserted by [2017 c. 20 s. 26\(8\)\(a\)\(ii\)](#)