



Leasehold Reform (Ground Rent) Act 2022

2022 CHAPTER 1

General

19 Amendments to Housing Act 1985

- (1) Part 5 of the Housing Act 1985 (right to buy) is amended as follows.
- (2) In section 127(3)(c) (assumptions to be made on valuation of dwelling) after “£10 per annum” insert “or, if the lease would be a regulated lease within the meaning of the Leasehold Reform (Ground Rent) Act 2022, the rent permitted by that Act”.
- (3) In paragraph 11 of Schedule 6 (terms of lease granted pursuant to right to buy) after “£10 per annum” insert “or, if the lease is a regulated lease within the meaning of the Leasehold Reform (Ground Rent) Act 2022, the rent permitted by that Act”.

Commencement Information

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| I1 | S. 19 not in force at Royal Assent, see s. 25(2) |
| I2 | S. 19 in force at 30.6.2022 for specified purposes by S.I. 2022/694, reg. 3 |
| I3 | S. 19 in force at 1.4.2023 in so far as not already in force by S.I. 2022/694, reg. 4 |

20 Consequential amendments

- (1) The Secretary of State may by regulations make provision that is consequential on this Act.
- (2) The provision that may be made by regulations under [subsection \(1\)](#) includes provision amending an Act (including an Act passed in the same session as this Act).

Changes to legislation: There are currently no known outstanding effects for the Leasehold Reform (Ground Rent) Act 2022, Cross Heading: General. (See end of Document for details)

Commencement Information

I4 S. 20 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

21 Regulations

- (1) A power to make regulations under any provision of this Act includes power to make—
 - (a) consequential, supplementary, incidental, transitional or saving provision;
 - (b) different provision for different purposes.
- (2) Regulations under this Act are to be made by statutory instrument.
- (3) A statutory instrument containing regulations under this Act is subject to annulment in pursuance of a resolution of—
 - (a) either House of Parliament, if the regulations are made by the Secretary of State, or
 - (b) Senedd Cymru, if the regulations are made by the Welsh Ministers, subject to [subsection \(4\)](#).
- (4) A statutory instrument containing (whether alone or with other provision) regulations under section 20 which amend an Act 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) This section does not apply to regulations under section 25.

Commencement Information

I5 S. 21 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

22 Interpretation

- (1) In this Act a “long lease” means—
 - (a) a lease granted for a term certain exceeding 21 years, whether or not it is (or may become) terminable before the end of that term by notice given by or to the tenant or by re-entry or forfeiture or otherwise;
 - (b) a lease for a term fixed by law under a grant with a covenant or obligation for perpetual renewal, other than a lease by sub-demise from one which is not a long lease;
 - (c) a lease taking effect under section 149(6) of the Law of Property Act 1925 (leases terminable after a death, marriage or civil partnership).
- (2) In this Act—

“dwelling” means a building or part of a building occupied or intended to be occupied as a separate dwelling, together with any yard, garden, outhouses and appurtenances belonging to it or usually enjoyed with it;

“lease”—

 - (a) means a lease at law or in equity (and references to the grant of a lease are to be construed accordingly);
 - (b) includes a sub-lease;

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- (c) does not include a mortgage term;
“premium” means any pecuniary consideration for the grant of a lease, other than rent;
“relevant authority” means—
 - (a) in relation to a lease of premises in England, the Secretary of State;
 - (b) in relation to a lease of premises in Wales, the Welsh Ministers;“rent” includes anything in the nature of rent, whatever it is called.
- (3) A sum expressed to be payable in respect of rates, council tax, services, repairs, maintenance, insurance or other ancillary matters is not rent for the purposes of this Act merely because it is reserved as rent in the lease.
- (4) In this Act—
“enforcement authority” has the meaning given by section 8(5);
“grant”, in relation to a lease, is to be read in accordance with section 1(4) and subsection (2);
“peppercorn rent” has the meaning given by section 4(3);
“permitted rent” has the meaning given by sections 4 to 6;
“prohibited rent” has the meaning given by section 3(4);
“regulated lease” has the meaning given by section 1(1);
“relevant commencement day” has the meaning given by section 1(2).

Commencement Information

16 S. 22 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

23 Crown application

- (1) This Act applies to Crown land.
- (2) Land is Crown land if there is or has at any time been an interest or estate in the land—
 - (a) comprised in the Crown Estate,
 - (b) belonging to Her Majesty in right of the Duchy of Lancaster,
 - (c) belonging to the Duchy of Cornwall, or
 - (d) belonging to a government department or held on behalf of Her Majesty for the purposes of a government department.

Commencement Information

17 S. 23 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

24 Extent

This Act extends to England and Wales.

Commencement Information

18 S. 24 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

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25 Commencement

- (1) The following provisions come into force on the day this Act is passed—
 - (a) sections 2 and 9, but only for the purposes of making regulations;
 - (b) sections 20 to 26.
- (2) Except as provided by [subsection \(1\)](#) this Act comes into force on such day as the Secretary of State may by regulations appoint.
- (3) Different days may be appointed for different purposes (including for different kinds of leases).
- (4) The day appointed for the coming into force of this Act in relation to leases of retirement homes must be no earlier than 1 April 2023.
- (5) A lease is a lease of a retirement home if—
 - (a) it is a term of the lease that the premises demised by the lease may be occupied only by persons who have attained a minimum age, and
 - (b) that minimum age is not less than 55.
- (6) The Secretary of State may by regulations make transitional or saving provision in connection with the coming into force of any provision of this Act.
- (7) The power to make regulations under [subsection \(6\)](#) includes power to make different provision for different purposes (including for different kinds of leases).
- (8) Regulations under this section are to be made by statutory instrument.

Commencement Information

I9 S. 25 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

26 Short title

This Act may be cited as the Leasehold Reform (Ground Rent) Act 2022.

Commencement Information

I10 S. 26 in force at Royal Assent, see [s. 25\(1\)\(b\)](#)

Changes to legislation:

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