
Changes to legislation: *Housing and Planning Act 2016, SCHEDULE 10 is up to date with all changes known to be in force on or before 11 May 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*

SCHEDULES

SCHEDULE 10

Section 136

ENFRANCHISEMENT AND EXTENSION OF LONG LEASEHOLDS: CALCULATIONS

Leasehold Reform Act 1967

- 1 (1) In Schedule 1 to the Leasehold Reform Act 1967 (enfranchisement and extension by sub-tenants), paragraph 7A is amended as follows.
- (2) For sub-paragraph (1) substitute—
- “(1) The price payable for a minor superior tenancy is to be calculated in accordance with regulations made by the appropriate national authority instead of in accordance with section 9.”
- (3) Omit sub-paragraphs (5) and (6).
- (4) At the end insert—
- “(7) In sub-paragraph (1) “appropriate national authority” means—
- (a) in relation to a tenancy of land in England, the Secretary of State;
- (b) in relation to a tenancy of land in Wales, the Welsh Ministers.
- (8) Regulations under sub-paragraph (1) may include transitional provision.
- (9) Regulations under sub-paragraph (1) are to be made by statutory instrument.
- (10) A statutory instrument containing regulations under sub-paragraph (1) is subject to annulment—
- (a) in the case of an instrument made by the Secretary of State, in pursuance of a resolution of either House of Parliament;
- (b) in the case of an instrument made by the Welsh Ministers, in pursuance of a resolution of the National Assembly for Wales.”
- (5) The amendments made by this paragraph apply to cases where the relevant time is—
- (a) before this Act is passed, but
- (b) on or after 11 July 2015,
- as well as to cases where the relevant time is after this Act is passed.
- (6) The “relevant time” has the meaning given by section 37(1)(d) of the Leasehold Reform Act 1967.

Leasehold Reform, Housing and Urban Development Act 1993

- 2 The Leasehold Reform, Housing and Urban Development Act 1993 is amended as follows.
- 3 (1) Section 100 (orders and regulations) is amended as follows.

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- (2) In subsection (1), after “Secretary of State” insert “ or the Welsh Ministers ”.
- (3) After subsection (2) insert—
- “(3) Any power of the Welsh Ministers to make regulations under this Part shall be exercisable by statutory instrument which (except in the case of regulations making only such provision as is mentioned in section 99(6)) shall be subject to annulment in pursuance of a resolution of the National Assembly for Wales.”
- 4 (1) In Schedule 6, paragraph 7 is amended as follows.
- (2) For sub-paragraph (2) substitute—
- “(2) The value of an intermediate leasehold interest which is the interest of the tenant under a minor intermediate lease is to be calculated in accordance with regulations made by the appropriate national authority instead of in accordance with sub-paragraph (1).”
- (3) In sub-paragraph (4)—
- (a) for “formula set out in sub-paragraph (7)” substitute “ calculation method mentioned in sub-paragraph (2) ”;
- (b) for “by so applying the formula” substitute “ in accordance with that method ”.
- (4) Omit sub-paragraphs (7) and (8).
- (5) After sub-paragraph (10) insert—
- “(11) In sub-paragraph (2) “appropriate national authority” means—
- (a) in relation to a leasehold interest of land in England, the Secretary of State;
- (b) in relation to a leasehold interest of land in Wales, the Welsh Ministers.”
- (6) The amendments made by this paragraph apply to cases where the relevant date is—
- (a) before this Act is passed, but
- (b) on or after 11 July 2015,
- as well as to cases where the relevant date is after this Act is passed.
- (7) The “relevant date” has the meaning given by section 1(8) of the Leasehold Reform, Housing and Urban Development Act 1993.
- 5 (1) In Schedule 13 (premium and other amounts payable by tenant on grant of new lease), paragraph 8 is amended as follows.
- (2) For sub-paragraph (2) substitute—
- “(2) The value of an intermediate leasehold interest which is the interest of the tenant under a minor intermediate lease is to be calculated in accordance with regulations made by the appropriate national authority instead of in accordance with sub-paragraph (1).”
- (3) Omit sub-paragraphs (6) and (7).
- (4) After sub-paragraph (9) insert—

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“(10) In sub-paragraph (2) “appropriate national authority” means—

- (a) in relation to a leasehold interest of land in England, the Secretary of State;
- (b) in relation to a leasehold interest of land in Wales, the Welsh Ministers.”

(5) The amendments made by this paragraph apply to cases where the relevant date is—

- (a) before this Act is passed, but
- (b) on or after 11 July 2015,

as well as to cases where the relevant date is after this Act is passed.

(6) The “relevant date” has the meaning given by section 39(8) of the Leasehold Reform, Housing and Urban Development Act 1993.

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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\(8\)\(a\)\(ii\)](#)