WELSH STATUTORY INSTRUMENTS

# 2005 No. 1357 (W.105)

# LANDLORD AND TENANT, WALES

## The Service Charges (Consultation Requirements) (Amendment) (Wales) Regulations 2005

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| *Made - - - -* | *17 May 2005* |
| *Coming into force - -* | *31 May 2005* |

The National Assembly for Wales makes the following Regulations, in exercise of the powers conferred by sections 20(4) and (5) and 20ZA(3) to (6) of the Landlord and Tenant Act 1985(**1**), which are now vested in the National Assembly for Wales so far as exercisable in relation to Wales.

### Title, commencement and application

**1.**—(1) The title of these Regulations is the Service Charges (Consultation Requirements) (Amendment) (Wales) Regulations 2005 and they shall come into force on 31 May 2005.

(2) These Regulations apply in relation to Wales.

### Amendment of Regulations

**2.** Regulation 4 (Application of section 20 to qualifying long term agreements) of the Service Charges (Consultation Requirements) (Wales) Regulations 2004(**2**) is amended —

(a) in paragraph (3), by the substitution, for "In", of "Subject to paragraph (3A), in"; and

(b) by the insertion, after paragraph (3) of the following paragraph -

"(3A) Where a landlord —

(a) intends to enter into a qualifying long term agreement on or after 31 May 2005; and

(b) has not at any time between 31 October 2003 and 31 May 2005 made up accounts relating to service charges referable to a qualifying long term

(**1**) 1985 c. 70. Section 20 was substituted, and section 20ZA inserted, by section 151 of the Commonhold and Leasehold Reform Act 2002 (c. 15). *See* also paragraph 4 of Schedule 7 to that Act for modifications relevant to sections 20 and 20ZA associated with the right to manage under Chapter 1 of Part 2 of that Act. The functions of the Secretary of State under sections 20 and 20ZA are, so far as exercisable in relation to Wales, transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672), article 2; *see t*he entry in Schedule 1 for the Landlord and Tenant Act 1985. *See* also section 177 of the Commonhold and Leasehold Reform Act 2002.

(**2**) S.I. 2004/684 (W.72).