WELSH STATUTORY INSTRUMENTS

2005 No. 1353 (W.101) (C.59)

LANDLORD AND TENANT, WALES

The Commonhold and Leasehold Reform Act 2002 (Commencement No. 3 and Saving and Transitional Provision) (Wales) Order 2005

Made - - - - 17 May 2005

The National Assembly for Wales, in exercise of the powers conferred upon it by section 181 of the Commonhold and Leasehold Reform Act 2002(**1**), hereby makes the following Order:

Name, interpretation and application

1.—(1) The name of this Order is the Commonhold and Leasehold Reform Act 2002 (Commencement No. 3 and Saving and Transitional Provision) (Wales) Order 2005.

(2) In this Order, unless otherwise stated, references to sections and Schedules are references to sections of, and Schedules to, the Commonhold and Leasehold Reform Act 2002.

(3) This Order applies to Wales.

Provisions coming into force in Wales on 31 May 2005

2. Subject to article 3, the following provisions shall come into force in Wales on 31 May 2005 —

(a) section 126,

(b) section 157, in so far as it relates to paragraph 15 of Schedule 10,

(c) section 164, to the extent that it is not already in force,

(d) section 165,

(e) sections 166 and 167, to the extent that they are not already in force,

(f) sections 168 to 170,

(g) section 171, to the extent that it is not already in force,

(h) in section 172, subsections (1) to (5), except to the extent that they relate to the application to the Crown of sections 21 to 22 of the Landlord and Tenant Act 1985(**2**), as substituted or inserted by sections 152 to 154,

(**1**) 2002 c. 15. See the definition of "the appropriate authority" in section 181(4).
(**2**) 1985 c. 70. (Sections 21, 21A, 21B and 22 will be substituted or inserted when sections 152 to 154 of the Commonhold and Leasehold Reform Act 2002 come fully into force).

(i) section 176 and Schedule 13, to the extent that they are not already in force, and

(j) section 180, in so far as it relates to the repeals in Schedule 14 of —

(i) the definition of "the valuation date" in paragraph 1(1) of Schedule 6 to the Leasehold Reform, Housing and Urban Development Act 1993(**3**);

(ii) section 82 of the Housing Act 1996(**4**); and

(iii) in paragraph 18(2) of Schedule 10 to that Act, paragraph (b) and the word "and" before it.

Saving and transitional provision

3.—(1) During the period beginning with 31 May 2005 and ending on the date on which sections 121 to 124 come fully into force, paragraph 4(2) of Schedule 6 to the Leasehold Reform, Housing and Urban Development Act 1993 shall have effect as if, for "participating tenants", there were substituted "persons who are participating tenants immediately before a binding contract is entered into in pursuance of the initial notice".

(2) Section 126 shall not have effect as regards —

(a) notices given before 31 May 2005 under section 13 of the Leasehold Reform, Housing and Urban Development Act 1993; or

(b) applications made before 31 May 2005 under section 26 of that Act.

(3) Section 168 shall not have effect as regards notices served under section 146(1) of the Law of Property Act 1925(**5**) before 31 May 2005 in respect of a breach by a tenant of any covenant or condition.

(4) The amendments made by section 170 shall not have effect as regards notices served under section 146(1) of the Law of Property Act 1925 before 31 May 2005.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**6**).

D. Elis-Thomas
The Presiding Officer of the National Assembly

17 May 2005

(**3**) 1993 c. 28.
(**4**) 1996 c. 52.
(**5**) 1925 c. 20.
(**6**) 1998 c. 38.