

**Supplementary written evidence submitted by Professor Nick Hopkins,  
Commissioner for Property, Family and Trust Law, The Law Commission (LFRB53)**

- 1.1 I have previously provided the Leasehold and Freehold Reform Bill Public Bill Committee with written evidence dated 12 January 2024, as well as oral evidence on 16 January 2024.
- 1.2 In my oral evidence, I indicated in response to a question from Matthew Pennycook MP that I expected a number of technical amendments to be made to the clauses of the Bill (being a reference to the Bill as introduced) that implement Law Commission recommendations. Various amendments have now been tabled, including by Government.
- 1.3 My team at the Law Commission has been contacted by Matthew Pennycook MP's office to ask which of the amendments are technical, or otherwise result from the Law Commission's recommendations (on which Law Commission staff have supported Government by instructing Parliamentary Counsel).
- 1.4 I have sent this document in reply to that question, but, in the interests of transparency, am also submitting it to the Scrutiny Unit.
- 1.5 The Government amendments that were tabled on Tuesday 16 January 2024 fall broadly into three categories.
  - (1) **Category 1:** technical amendments to the clauses in the Bill as introduced that implement Law Commission recommendations made in its Enfranchisement and Right to Manage reports (i.e. those technical amendments that I was speaking about in my oral evidence to the Committee). They include, for example, corrections of mistakes, clarifications, and changes to make provisions more consistent.
  - (2) **Category 2:** amendments that Government has brought forward that implement Law Commission policy that was not in the Bill as introduced and on which Law Commission staff have been involved in instructing Parliamentary Counsel. When I say that an amendment implements Law Commission policy, I note (as I do in the notes accompanying the Table in Appendix 1 of the written evidence dated 12 January) that:
    - (a) the amendment may only implement Law Commission policy in part and the amendment may also implement other material not arising from a recommendation or option set out by the Commission; and

(b) the Commission’s enfranchisement recommendations, in particular, anticipated the introduction of a new scheme which would have replaced existing schemes established in the Leasehold Reform Act 1967 and the Leasehold Reform, Housing and Urban Development Act 1993. The decision by Government to implement a subset of those recommendations has resulted in those reforms instead being integrated into the two Acts and the recommendations on which amendments in Category 2 are based should be read accordingly.

(3) **Category 3:** those amendments that do not relate to Law Commission policy.

1.6 My oral evidence related to Category 1. I understand the question raised by Matthew Pennycook MP’s office relates both to categories 1 and 2.

1.7 With that in mind, the following table sets out my team’s assessment of those Government amendments that fall within categories 1 and 2 (the table does not cover amendments falling within Category 3).

1.8 The numbers in the table refer to relevant amendment numbers and they are listed, in each column, in the order in which they appear in the document “Leasehold and Freehold Reform Bill (Amendment Paper) – Committee Stage: Thursday 18 January 2024” (available at [https://publications.parliament.uk/pa/bills/cbill/58-04/0013/amend/leasehold\\_day\\_pbc\\_0118.pdf](https://publications.parliament.uk/pa/bills/cbill/58-04/0013/amend/leasehold_day_pbc_0118.pdf)).

1.9 Note that, in each case, the numbers in the table below are preceded by the letters “Gov” in the document mentioned above.

<b>Category 1</b>	<b>Category 2</b>
59, 62, 63, 64, 65, 67, 68, 72, 35, 36, 37, 38, 41, 42, 43, 44, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120	57, 58, 60, 61, 66, 69, 70, 71, 30, 32, 33, 34, 39, 40, 73, 74, 95, 106

18 January 2024