

SCHEDULE 1

Article 3(1)

Consequential Amendments of Primary Legislation

Caravan Sites and Control of Development Act 1960

1. The Caravan Sites and Control of Development Act 1960(1) is amended as follows.
2. In section 3 (application for site licence), in subsection (5C)(a)(2), for “a residential property tribunal” substitute “the tribunal”.
3. In section 5A (relevant protected sites: annual fee)(3)—
 - (a) in subsection (3), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (4), for “a residential property tribunal” substitute “the tribunal”.
4. In section 7 (appeals against conditions attached to site licence)(4)—
 - (a) in subsection (1), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (1A), for “a residential property tribunal” substitute “the tribunal”.
5. In section 8 (power of local authority to alter conditions attached to site licences)(5)—
 - (a) in subsection (2), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in subsection (4), for “a residential property tribunal” substitute “the tribunal”.
6. In section 9A (breach of condition: relevant protected sites in England)(6), in subsection (3), for “a residential property tribunal” substitute “the tribunal”.
7. In section 9E (power to take emergency action)(7), in subsection (9), for “a residential property tribunal” substitute “the tribunal”.
8. In section 9F (action under section 9D or 9E: power to demand expenses), in subsection (7), for “a residential property tribunal” substitute “the tribunal”.
9. In section 9G (appeals under section 9A, 9E or 9F)(8), in subsection (3), for “A residential property tribunal” substitute “The tribunal”.
10. In section 10 (transfer of site licence), in subsection (1E)(9), in paragraph (a), for “a residential property tribunal” substitute “the tribunal”.
11. In section 29 (Interpretation of Part 1), at the end of subsection (1), after the definition of “the Minister” insert—

““tribunal” means the First-tier Tribunal or where determined by or under Tribunal Procedure Rules, the Upper Tribunal.”.

Housing Act 2004

12. The Housing Act 2004(10) is amended as follows.

(1) 1960 c. 62

(2) Section 3(5C) was inserted by section 2(2) of the Mobile Homes Act 2013 (c. 14).

(3) Section 5A was inserted by section 1(3) of the Mobile Homes Act 2013 (c. 14).

(4) Section 7 and its heading was amended, and section 7(1A) was inserted by, section 3 of the Mobile Homes Act 2013 (c. 14).

(5) Section 8(2) and (4) were amended by section 3(3) of the Mobile Homes Act 2013 (c. 14).

(6) Section 9A was inserted by section 4(2) of the Mobile Homes Act 2013 (c. 14).

(7) Sections 9E and 9F were inserted by section 5 of the Mobile Homes Act 2013 (c. 14).

(8) Section 9G was inserted by section 6 of the Mobile Homes Act 2013 (c. 14).

(9) Section 10(1E) was inserted by section 2(3) of the Mobile Homes Act 2013 (c. 14).

(10) 2004 c. 34. Sections 231A to 231D of the Housing Act 2004 were inserted by paragraph 176 of Schedule 1 to the Transfer of Tribunal Functions Order 2013, S.I. 2013/1036.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- 13.** In section 231A (additional powers of First-tier Tribunal and Upper Tribunal)—
- (a) in subsection (1), after “by or under” insert “the Caravan Sites and Control of Development Act 1960,”;
 - (b) after subsection (3), insert—
 - “(3A) When exercising jurisdiction under the Caravan Sites and Control of Development Act 1960, the directions which may be given by a tribunal under its general power include (where appropriate) directions requiring the payment of money by one party to the proceedings to another by way of compensation, damages or otherwise.”.
- 14.** In section 231B (transfer from court to First-tier Tribunal), in subsection (4) after “in this Act” insert “, in the Caravan Sites and Control of Development Act 1960”.
- 15.** In section 231C (appeals from the First-tier Tribunal), before paragraph (a) of subsection (1) insert—
- “(za) the Caravan Sites and Control of Development Act 1960,”.
- 16.** In section 231D (enforcement), after “in connection with” insert “the Caravan Sites and Control of Development Act 1960,”.

Mobile Homes Act 2013

- 17.** In section 8 (requirement for manager of site to be fit and proper person)⁽¹¹⁾ of the Mobile Homes Act 2013, in the inserted new sections 12A to 12E of the Caravan Sites and Control of Development Act 1960—
- (a) in section 12A(2) (requirement for fit and proper person), for “a residential property tribunal” substitute “the tribunal”;
 - (b) in section 12C(7) (application for inclusion in register), for “a residential property tribunal” substitute “the tribunal”;
 - (c) in section 12D(5)(a) (removal from register, variation of conditions etc), for “a residential property tribunal” substitute “the tribunal”.

⁽¹¹⁾ Section 8, which inserts sections 12A to 12E of the Caravan Sites and Control of Development Act 1960 (c. 62), is not yet in force.