



Housing Act 1980

1980 CHAPTER 51

PART II

PRIVATE SECTOR TENANTS

Miscellaneous

73 Dwellings forming part of Crown Estate or belonging to Duchies.

(1) The following section is substituted for section 13 of the 1977 Act:

(1) Except as provided by subsection (2) below—

- (a) a tenancy shall not be a protected tenancy at any time when the interest of the landlord under the tenancy belongs to Her Majesty in right of the Crown or to a government department or is held in trust for Her Majesty for the purposes of a government department ; and
- (b) a person shall not at any time be a statutory tenant of a dwelling-house if the interest of his immediate landlord would at that time belong or be held as mentioned in paragraph (a) above.

(2) An interest belonging to Her Majesty in right of the Crown shall not prevent a tenancy from being a protected tenancy or a person from being a statutory tenant if the interest is under the management of the Crown Estate Commissioners.”

(2) F1

(3) In section 5 of the ^{M1} Rent (Agriculture) Act 1976 the following is substituted for subsection (1):

“(1) A person shall not at any time be a statutory tenant of a dwelling-house if the interest of his immediate landlord would, at that time—

Changes to legislation: There are currently no known outstanding effects for the Housing Act 1980, Section 73. (See end of Document for details)

- (a) belong to Her Majesty in right of the Crown or to a government department, or
- (b) be held in trust for Her Majesty for the purposes of a government department ;

except that an interest belonging to Her Majesty in right of the Crown shall not prevent a person from being a statutory tenant if the interest is under the management of the Crown Estate Commissioners.”

(4) In the ^{M2} Landlord and Tenant Act 1954—

- (a) the following is inserted at the end of section 56 :

“(7) Part I of this Act shall apply where—

- (a) there is an interest belonging to Her Majesty in right of the Crown and that interest is under the management of the Crown Estate Commissioners ; or
- (b) there is an interest belonging to Her Majesty in right of the Duchy of Lancaster or belonging to the Duchy of Cornwall ;

as if it were an interest not so belonging.”;

- (b) in section 21(6) the following is substituted for the definition of “ interest not bound by this Part of this Act” :

“In this subsection “interest not bound by this Part of this Act” means an interest which belongs to Her Majesty in right of the Crown and is not under the management of the Crown Estate Commissioners or an interest belonging to a government department or held on behalf of Her Majesty for the purposes of a government department.”

(5) Schedule 8 to this Act has effect for making certain provisions consequential on this section.

Textual Amendments

F1 S. 73(2) repealed by [Housing Act 1988 \(c. 50, SIF 61\)](#), s. 140, **Sch. 18**

Modifications etc. (not altering text)

C1 The text of ss. 55(1), 59(2)(3), 61(1)–(7), 62, 63, 65(1)–(5), 66(1)–(4), 67–69, 70(1), 71, 73(1)–(4), 74(1)(2), 75, 76, 78, 79, 138, 141, 143(3), 148, 152(3) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991

Marginal Citations

M1 1976 c. 80

M2 1954 c. 56.

Changes to legislation:

There are currently no known outstanding effects for the Housing Act 1980, Section 73.