

SCHEDULES

SCHEDULE 5

PREMISES: EXCEPTIONS

Small premises

- 3 (1) This paragraph applies to anything done by a person in relation to the disposal, occupation or management of part of small premises if—
- (a) the person or a relative of that person resides, and intends to continue to reside, in another part of the premises, and
 - (b) the premises include parts (other than storage areas and means of access) shared with residents of the premises who are not members of the same household as the resident mentioned in paragraph (a).
- (2) Sections 33(1), 34(1) and 35(1) apply only in so far as they relate to race.
- (3) Premises are small if—
- (a) the only other persons occupying the accommodation occupied by the resident mentioned in sub-paragraph (1)(a) are members of the same household,
 - (b) the premises also include accommodation for at least one other household,
 - (c) the accommodation for each of those other households is let, or available for letting, on a separate tenancy or similar agreement, and
 - (d) the premises are not normally sufficient to accommodate more than two other households.
- (4) Premises are also small if they are not normally sufficient to provide residential accommodation for more than six persons (in addition to the resident mentioned in sub-paragraph (1)(a) and members of the same household).
- (5) In this paragraph, “relative” means—
- (a) spouse or civil partner,
 - (b) unmarried partner,
 - (c) parent or grandparent,
 - (d) child or grandchild (whether or not legitimate),
 - (e) the spouse, civil partner or unmarried partner of a child or grandchild,
 - (f) brother or sister (whether of full blood or half-blood), or
 - (g) a relative within paragraph (c), (d), (e) or (f) whose relationship arises as a result of marriage or civil partnership.
- (6) In sub-paragraph (5), a reference to an unmarried partner is a reference to the other member of a couple consisting of—
- (a) a man and a woman who are not married to each other but are living together as husband and wife, or

Status: This is the original version (as it was originally enacted).

- (b) two people of the same sex who are not civil partners of each other but are living together as if they were.