



# Immigration Act 2014

## 2014 CHAPTER 22

### PART 3

#### ACCESS TO SERVICES ETC

### CHAPTER 1

#### RESIDENTIAL TENANCIES

#### *General*

## 37 Interpretation

(1) In this Chapter—

- “adult” means a person who has attained the age of 18;
- “agreement” includes an agreement in any form (whether or not in writing);
- “eligibility period”, in relation to a limited right occupier, is to be read in accordance with section 27;
- “limited right occupier” has the meaning given in section 24(9);
- “occupy” means occupy as an only or main residence;
- “penalty notice” means a penalty notice given under this Chapter;
- “person with a limited right to rent” has the meaning given in section 21(4);
- “post-grant contravention” has the meaning given in section 22(10);
- “pre-grant contravention” has the meaning given in section 22(10);
- “premises” includes land, buildings, moveable structures, vehicles and vessels;
- “prescribed” means prescribed in an order made by the Secretary of State;
- “recipient” means the recipient of a penalty notice;
- “relevant occupier” has the meaning given in section 22(10);
- “residential tenancy agreement” has the meaning given in section 20(2).

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*Status: This is the original version (as it was originally enacted).*

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- (2) For the purposes of this Chapter a residential tenancy agreement grants a person a right to occupy premises if—
- (a) the agreement expressly grants that person the right (whether or not by naming the person), or
  - (b) the person is permitted to occupy the premises by virtue of an express grant given to another person,
- and references to a person occupying premises under an agreement are to be read accordingly.
- (3) A reference in this Chapter to the “prescribed requirements”, in connection with compliance with the requirements at a particular time, is a reference only to such of the requirements as are capable of being complied with at that time.
- (4) Where two or more persons jointly constitute the landlord in relation to a residential tenancy agreement—
- (a) the references to the landlord in—
    - (i) section 22(7)(a),
    - (ii) section 24(5), (6)(a) and (7), and
    - (iii) section 26(6)(a) and (7)(b),are to be taken as references to any of those persons;
  - (b) any other references to the landlord in this Chapter are to be taken as references to all of those persons.
- (5) Where two or more persons jointly constitute the agent in relation to a residential tenancy agreement—
- (a) the references to the agent in section 26(5), (6)(a) and (7) are to be taken as references to any of those persons;
  - (b) any other references to the agent in this Chapter are to be taken as references to all of those persons.
- (6) The Secretary of State may by order prescribe cases in which—
- (a) a residential tenancy agreement is, or is not, to be treated as being entered into for the purposes of this Chapter;
  - (b) a person is, or is not, to be treated as occupying premises as an only or main residence for the purposes of this Chapter.
- (7) An order under subsection (6) prescribing a case may modify the application of this Chapter in relation to that case.
- (8) The cases mentioned in subsection (6)(a) include, in particular, cases where—
- (a) an option to renew an agreement is exercised;
  - (b) rights of occupation under an agreement are varied;
  - (c) an agreement is assigned (whether by the landlord or the tenant);
  - (d) a periodic tenancy arises at the end of a fixed term;
  - (e) an agreement grants a right of occupation on satisfaction of a condition;
  - (f) there is a change in the persons in occupation of the premises leased under an agreement or in the circumstances of any such person.