

Changes to legislation: There are currently no known outstanding effects for the Mobile Homes Act 1983, Cross Heading: Qualifying residents' association. (See end of Document for details)

SCHEDULES

SCHEDULE 1

AGREEMENTS UNDER ACT

PART I

TERMS IMPLIED BY ACT

[^{F1}CHAPTER 2

AGREEMENTS RELATING TO PITCHES ^{F1}... EXCEPT PITCHES ^{F1}... ON LOCAL AUTHORITY GYPSY AND TRAVELLER SITES AND COUNTY COUNCIL GYPSY AND TRAVELLER SITES]

Textual Amendments

- F1** Sch. 1 Pt. 1 renumbered as Sch. 1 Pt. 1 Ch. 2 (E.) (30.4.2011) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1 and Consequential Amendments\) \(England\) Order 2011 \(S.I. 2011/1003\)](#), art. 1(1), [Sch. 1 para. 2](#) (with art. 1(3))
- F1** Words in Sch. 1 Pt. I Ch. 2 heading omitted (10.7.2013) by virtue of [The Mobile Homes Act 1983 \(Amendment of Schedule 1 and Consequential Amendments\) \(Wales\) Order 2013 \(S.I. 2013/1723\)](#), arts. 1(1), [2\(3\)\(a\)](#) (with art. 1(3))
- F1** Words in Sch. 1 Pt. I Ch. 2 heading omitted (W.) (1.10.2014) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 4\(9\)\(b\)](#) (with Sch. 5 para. 7); S.I. 2014/11, art. 3(2)

[^{F1}Qualifying residents' association

Textual Amendments

- F1** Sch. 1 Pt. I paras. 11-32 and cross-headings inserted (S.) (1.9.2013) by [The Mobile Homes Act 1983 \(Amendment of Schedule 1\) \(Scotland\) Order 2013 \(S.S.I. 2013/219\)](#), arts. 1, [2\(8\)](#) (with art. 1(2)(3), 4)

31. (1) A residents' association is a qualifying residents' association in relation to a protected site if—
- it represents the occupiers of mobile homes on the site;
 - at least 50% of the occupiers of the mobile homes on the site are members of the association;
 - it is independent from the owner, who together with any agent or employee of the owner is excluded from membership;
 - subject to paragraph (c), membership is open to all occupiers who own a mobile home on that site;

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- (e) it maintains a list of members which is open to public inspection together with the rules and constitution of the association;
 - (f) it has a chairman, secretary and treasurer who are elected by and from the members; and
 - (g) with the exception of administrative decisions taken by the chairman, secretary and treasurer acting in their official capacities, decisions are taken by voting and there is only one vote exercisable by the occupier for each mobile home.
- (2) When calculating the percentage of occupiers for the purpose of sub-paragraph (1)(b) and determining who shall exercise the vote in relation to sub-paragraph (1)(g), each mobile home shall be taken to have only one occupier and, in the event of there being more than one occupier of a mobile home who is a member of the association or who exercises any vote, its occupier is to be taken to be the occupier whose name first appears on the agreement.]

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