



# Mobile Homes Act 1983

## 1983 CHAPTER 34

### 5 Interpretation.

(1) In this Act, unless the context otherwise requires—

[<sup>F1</sup>“the appropriate judicial body” means whichever of the court or a tribunal has jurisdiction under section 4;]

<sup>F2</sup> ...

[<sup>F3</sup>“arbitration agreement” means an agreement in writing to submit to arbitration any question arising under this Act or any agreement to which it applies;]

“the court” means—

(a) in relation to England <sup>F4</sup>..., the county court <sup>F5</sup>... or, where the parties have [<sup>F6</sup>entered into an arbitration agreement that applies to the question to be determined], the arbitrator;

(b) in relation to Scotland, the sheriff having jurisdiction where the protected site is situated or, where the parties have so agreed, the arbiter ;

“local authority” has the same meaning as in Part I of the <sup>M1</sup>Caravan Sites and Control of Development Act 1960;

“mobile home” has the same meaning as “caravan” has in that Part of that Act ;

“owner”, in relation to a protected site, means the person who, by virtue of an estate or interest held by him, is entitled to possession of the site or would be so entitled but for the rights of any persons to station mobile homes on land forming part of the site ;

“planning permission” means permission under [<sup>F7</sup>Part III of the Town and Country Planning Act 1990] or [<sup>F8</sup>Part III of the Town and Country Planning (Scotland) Act 1997];

“protected site” [<sup>F9</sup>does not include any land occupied by a local authority as a caravan site providing accommodation for gipsies or, in Scotland, for persons to whom section 24(8A) of the Caravan Sites and Control of Development Act 1960 applies but, subject to that,] has the same meaning as in Part I of the <sup>M2</sup>Caravan Sites Act 1968.

*Changes to legislation: There are currently no known outstanding effects for the Mobile Homes Act 1983, Section 5. (See end of Document for details)*

[<sup>F10</sup>“a tribunal” means, where the parties have entered into an arbitration agreement that applies to the question to be determined and that question arose before the agreement was made, the arbitrator; or, in other cases—

- (a) in relation to England, the First-tier Tribunal or, where determined by or under Tribunal Procedure Rules, the Upper; and
- (b) in relation to Wales, a residential property tribunal]

(2) In relation to an agreement to which this Act applies—

- (a) any reference in this Act to the owner includes a reference to any person who is bound by and entitled to the benefit of the agreement by virtue of subsection (1) of section 3 above; and
- (b) subject to subsection (4) of that section, any reference in this Act to the occupier includes a reference to any person who is entitled to the benefit of and bound by the agreement by virtue of subsection (2) or (3) of that section.

(3) A person is a member of another’s family within the meaning of this Act if he is his spouse, [<sup>F11</sup>civil partner,] parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece; treating—

- (a) any relationship by marriage [<sup>F12</sup>or civil partnership] as a relationship by blood, any relationship of the half blood as a relationship of the whole blood and the stepchild of any person as his child; and
- (b) an illegitimate person as the legitimate child of his mother and reputed father; or if they live together [<sup>F13</sup>as husband and wife [<sup>F14</sup>or as if they were civil partners]] [<sup>F13</sup>as if they were a married couple or civil partners].

[<sup>F15</sup>(4) In relation to land in Scotland, any reference in this Act to an “estate or interest” shall be construed as a reference to a right in, or to, the land.]

#### Textual Amendments

- F1** Words in s. 5(1) inserted (E.) (30.4.2011) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(England\) Order 2011 \(S.I. 2011/1005\)](#), arts. 1(1), **3(6)(a)** and (W.) (21.3.2012) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(Wales\) Order 2012 \(S.I. 2012/899\)](#), arts. 1(1), **3(6)(a)** (with art. 5)
- F2** Words in s. 5 omitted (W.) (1.10.2014) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), **Sch. 4 para. 4(8)(a)** (with Sch. 5 para. 7); S.I. 2014/11, art. 3(2)
- F3** Words in s. 5(1) inserted (E.) (30.4.2011) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(England\) Order 2011 \(S.I. 2011/1005\)](#), arts. 1(1), **3(6)(b)** and (W.) (21.3.2012) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(Wales\) Order 2012 \(S.I. 2012/899\)](#), arts. 1(1), **3(6)(b)** (with art. 5)
- F4** Words in s. 5 omitted (W.) (1.10.2014) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), **Sch. 4 para. 4(8)(b)** (with Sch. 5 para. 7); S.I. 2014/11, art. 3(2)
- F5** Words in s. 5(1) omitted (22.4.2014) by virtue of [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 113**; S.I. 2014/954, art. 2(c) (with art. 3) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F6** Words in s. 5(1) substituted (E.) (30.4.2011) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(England\) Order 2011 \(S.I. 2011/1005\)](#), arts. 1(1), **3(6)(c)** and (W.) (21.3.2012) by [The Mobile Homes Act 1983 \(Jurisdiction of Residential Property Tribunals\) \(Wales\) Order 2012 \(S.I. 2012/899\)](#), arts. 1(1), **3(6)(c)** (with art. 5)
- F7** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 4, **Sch. 2 para. 59**

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- F8** Words in definition of “planning permission” s. 5(1) substituted (27.5.1997) by 1997 c. 11, ss. 4, 6(2), **Sch. 2 para. 36**
- F9** Words in s. 5(1) repealed (30.4.2011 for E., 10.7.2013 for W.) by Housing and Regeneration Act 2008 (c. 17), ss. 318, 325(1), **Sch. 16**; S.I. 2011/1002, art. 2 (with arts. 3-7, Sch.); S.I. 2013/1469, art. 2 (with arts. 3-7, Sch.)
- F10** Words in s. 5(1) substituted (E.W.) (1.7.2013) by The Transfer of Tribunal Functions Order 2013 (S.I. 2013/1036), art. 1, **Sch. 1 para. 39** (with Sch. 3)
- F11** Words in s. 5(3) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(10)(b), **Sch. 27 para. 88(a)**; S.I. 2005/3175, art. 2(2)
- F12** Words in s. 5(3)(a) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(10)(b), **Sch. 27 para. 88(b)**; S.I. 2005/3175, art. 2(2)
- F13** Words in s. 5(3) substituted (E.W.) (2.12.2019) by The Civil Partnership (Opposite-sex Couples) Regulations 2019 (S.I. 2019/1458), reg. 1(2), **Sch. 3 para. 8**
- F14** Words in s. 5(3) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(10)(b), **Sch. 27 para. 88(c)**; S.I. 2005/3175, art. 2(2)
- F15** S. 5(4) added (S.) (28.11.2004) by Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5), ss. 71, 77(2), **Sch. 12 para. 44** (with ss. 58, 62, 75); S.S.I. 2003/456, art. 2

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**Marginal Citations**

- M1** 1960 c. 62.  
**M2** 1968 c. 52.

**Changes to legislation:**

There are currently no known outstanding effects for the Mobile Homes Act 1983, Section 5.