

## SCHEDULE 1

Article 2

### MEANING OF HOUSEHOLDER

- 24.** In relation to England and Wales, householder means a person who is—
- (a) a freeholder;
  - (b) in the case of England only, a leaseholder with a term of 21 years or more unexpired at the time the specified reduction is promoted; or
  - (c) a tenant, including a sub-tenant, who has—
    - (i) a protected occupancy or statutory tenancy under the Rent (Agriculture) Act 1976<sup>(1)</sup>;
    - (ii) a statutory tenancy under the Rent Act 1977<sup>(2)</sup>;
    - (iii) a secure tenancy under Part IV of the Housing Act 1985<sup>(3)</sup> or an introductory tenancy under Chapter I of Part V of the Housing Act 1996<sup>(4)</sup>;
    - (iv) a licence to occupy which meets the conditions in paragraph 12(a) and (b) Schedule 1 to the Housing Act 1985<sup>(5)</sup> (almshouse licences); or
    - (v) an assured agricultural occupancy under Part I of the Housing Act 1988<sup>(6)</sup>, at the time the action is promoted to him.
- 25.—**(1) In relation to Scotland, householder means a person who is the owner or tenant of a dwelling.
- (2) For the purposes of this paragraph—
- (a) “owner” includes any person who under the Land Clauses Acts<sup>(7)</sup> would be enabled to sell and convey land to promoters of an undertaking;
  - (b) “tenant” includes a person who—
    - (i) is a service occupant;
    - (ii) has a licence to occupy a dwelling; or
    - (iii) is a cottar within the meaning of section 12(5) of the Crofters (Scotland) Act 1993<sup>(8)</sup>, and, in any case, a sub-tenant.

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(1) 1976 c.80; sections 2 and 3 make provision for protected occupancy and section 4 for statutory tenancy. Section 3 has been amended by section 76(3) of the Housing Act 1980 (c.51) and section 81 of and Schedule 8 to the Civil Partnership Act 2004 (c.33), section 4 by those provisions and section 155 and paragraph 72 of Schedule 23 to the Rent Act 1977 (c.42) and sections 39 and 140 of and Schedule 4 (Part II) and Schedule 18 to the Housing Act 1988 (c.50). Section 5 was last amended by sections 128 and 137 of and Schedule 6 to the Criminal Justice and Police Act 2001 (c.16). There are other amendments to the 1976 Act not relevant to these Regulations.

(2) 1977 c.42, as last amended by paragraph 94 of Part I of Schedule 4 to the Constitutional Reform Act 2005 (c.4).

(3) 1985 c.68.

(4) 1996 c.52, as last amended by paragraphs 256 to 258 of Part 1 of Schedule 4 to the Constitutional Reform Act 2005.

(5) Paragraph 12 of Schedule 1 to the Housing Act 1985 was amended by section 78(1) of and paragraph 12 of Schedule 6 to the Charities Act 1992 (c.41).

(6) 1988 c.50.

(7) Defined in Schedule 1 to the Interpretation Act 1978 (c.30).

(8) 1993 c.44.