



# Housing Act 1985

## 1985 CHAPTER 68

### PART XVIII

#### MISCELLANEOUS AND GENERAL PROVISIONS

##### *General provisions*

#### 622 Minor definitions: general.

[<sup>F1</sup>(1)] In this Act—

[<sup>F2</sup> “ assured tenancy ” has the same meaning as in Part I of the Housing Act 1988;

“ assured agricultural occupancy ” has the same meaning as in Part I of the Housing Act 1988 ]

[<sup>F3</sup>“authorised deposit taker” means—

- (a) a person who has permission under [<sup>F4</sup>Part 4A] of the Financial Services and Markets Act 2000 to accept deposits, or
- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act who has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph [<sup>F5</sup> 12 ] of that Schedule) to accept deposits;

“authorised insurer” means—

- (a) a person who has permission under [<sup>F4</sup>Part 4A ] of the Financial Services and Markets Act 2000 to effect or carry out contracts of insurance, or
- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act who has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph [<sup>F6</sup> 12 ] of that Schedule) to effect or carry out contracts of insurance; ]

[<sup>F7</sup> “ authorised mortgage lender ” means—

- (a) a person who has permission under [<sup>F4</sup>Part 4A] of the Financial Services and Markets Act 2000 to enter into a regulated mortgage contract as lender,

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- (b) an EEA firm of the kind mentioned in paragraph (5)(b) of Schedule 3 to that Act who has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12 of that Schedule) to enter into a regulated mortgage contract as lender, or
- (c) a Treaty firm within the meaning of Schedule 4 to that Act who has permission under paragraph 4 of that Schedule (as a result of qualifying for authorisation under paragraph 2 of that Schedule) to enter into a regulated mortgage contract as lender;]

F8

.....  
“building regulations” means—

- (a) building regulations made under Part I of the Building Act 1984,
- (b) F9 .....
- (c) any provision of a local Act, or of a byelaw made under a local Act, dealing with the construction and drainage of new buildings and the laying out and construction of new streets;

F8

.....  
“cemetery” has the same meaning as in section 214 of the Local Government Act 1972;

F10

...  
[F11 “ district valuer ”, in relation to any land in the district of a local housing authority, means an officer of the Commissioners of Inland Revenue appointed by them for the purpose of exercising, in relation to that district, the functions of the district valuer under this Act; ]

“friendly society” means a friendly society, or a branch of a friendly society, registered under the Friendly Societies Act 1974 or earlier legislation;

“general rate fund” means—

- (a) in relation to the Council of the Isles of Scilly, the general fund of that council;
- (b) in relation to the Common Council of the City of London, that council’s general rate;

“hostel” means a building in which is provided, for persons generally or for a class or classes of persons—

- (a) residential accommodation otherwise than in separate and self-contained sets of premises, and
- (b) either board or facilities for the preparation of food adequate to the needs of those persons, or both;

F8

.....  
“protected occupancy” and “protected occupier” have the same meaning as in the Rent (Agriculture) Act 1976;

“protected tenancy” has the same meaning as in Rent Act 1977;

[F12 “regular armed forces of the Crown” means the regular forces as defined by section 374 of the Armed Forces Act 2006;]

“the Rent Acts” means the Rent Act 1977 and the Rent (Agriculture) Act 1976;

“restricted contract” has the same meaning as in the Rent Act 1977;

“shared ownership lease” means a lease—

- (a) granted on payment of a premium calculated by reference to a percentage of the value of the dwelling or of the cost of providing it, or

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(b) under which the tenant (or his personal representatives) will or may be entitled to a sum calculated by reference, directly or indirectly, to the value of the dwelling;

F13 .....

F13 .....

“statutory tenancy” and “statutory tenant” means a statutory tenancy or statutory tenant within the meaning of the Rent Act 1977 or the Rent (Agriculture) Act 1976;

“street” includes any court, alley, passage, square or row of houses, whether a thoroughfare or not;

“subsidiary” has [F14 the meaning given by [F15 section 1159 of the Companies Act 2006];

F8 .....

[F16(2) The definitions of “authorised deposit taker”[F17, “authorised insurer and” and “authorised mortgage lender”] in subsection (1) must be read with—

- (a) section 22 of the Financial Services and Markets Act 2000;
- (b) any relevant order under that section; and
- (c) Schedule 2 to that Act.]

#### Textual Amendments

- F1 S. 622 renumbered as s. 622(1) (1.12.2001) by S.I. 2001/3649, arts. 1, 300(2)
- F2 Definitions inserted by Housing Act 1988 (c. 50, SIF 61), s. 140(1), Sch. 17 Pt. I para. 64
- F3 S. 622(1): definitions inserted (1.12.2001) after definition of “assured agricultural tenancy” by S.I. 2001/3649, arts. 1, 300(4)
- F4 Words in s. 622(1) substituted (1.4.2013) by Financial Services Act 2012 (c. 21), s. 122(3), Sch. 18 para. 50 (with Sch. 20); S.I. 2013/423, art. 3, Sch.
- F5 Word in s. 622(1) substituted (7.9.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 316(a), 325; S.I. 2009/2096, art. 2(3) (subject to art. 3(3))
- F6 Word in s. 622(1) substituted (7.9.2009) by Housing and Regeneration Act 2008 (c. 17), ss. 316(b), 325; S.I. 2009/2096, art. 2(3) (subject to art. 3(3))
- F7 S. 622(1): definition inserted (22.9.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 307(2), 325
- F8 S. 622(1): definitions of “bank”, “building society”, “insurance company” and “trustee savings bank” repealed (1.12.2001) by S.I. 2001/3649, arts. 1, 300(3)
- F9 S. 622: in definition of “building regulations” para. (b) repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 84(6), Sch. 19 Pt. V (with s. 84(5)); S.I. 1991/2067, art. 3
- F10 Definition “charity” in s. 622(1) omitted (14.3.2012 immediately before the Charities Act 2011 (c. 25) comes into force) by virtue of The Charities (Pre-consolidation Amendments) Order 2011 (S.I. 2011/1396), art. 1, Sch. para. 40(1)(2)(a)
- F11 Entry substituted by S.I. 1990/434, reg. 2, Sch. para. 23
- F12 S. 622(1): definition substituted (28.3.2009 for certain purposes and 31.10.2009 otherwise) by Armed Forces Act 2006 (c. 52), ss. 378(1), 383(2), Sch. 16 para. 108; S.I. 2009/812, art. 3 (with transitional provisions (24.4.2009) in {S.I. 2009/1059}); S.I. 2009/1167, art. 4
- F13 S. 622: definitions of “standard scale” and “statutory maximum” repealed (5.11.1993) by 1993 c. 50, s. 1(1), Sch. 1 Pt. XIV Group 2
- F14 Words substituted by Companies Act 1989 (c. 40, SIF 27), s. 144(4), Sch. 18 para. 40

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- F15** S. 622(1): words in definition of "subsidiary" substituted (1.10.2009) by The Companies Act 2006 (Consequential Amendments, Transitional Provisions and Savings) Order (S.I. 2009/1941), art. 2(1), {Sch. 1 para. 62(6)} (with art. 10)
- F16** S. 622(2) inserted (1.12.2001) by S.I. 2001/3649, arts. 1, 300(5)
- F17** Words in s. 622(2) substituted (22.9.2008) by Housing and Regeneration Act 2008 (c. 17), ss. 307(3), 325

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**Modifications etc. (not altering text)**

- C1** S. 622 extended (1.1.1993) by S.I. 1992/3218, reg. 82(1), Sch. 10 Pt. I para. 19  
S. 622 amended (1.7.1994) by S.I. 1994/1696, reg. 68, Sch. 8 Pt. I para. 10

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