

*These notes refer to the Caravans Act (Northern Ireland)
2011 (c.12) which received Royal Assent on 16 March 2011*

Caravans Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3: Protection of residential occupiers from eviction and harassment

Section 11 – Application of this Part

Section 11 clarifies to whom Part 3 of the Act applies. Part 3 applies to the residential caravan sector and covers both owner-occupiers entitled to station their caravan on a protected site and those who rent a caravan on a protected site, where, in both cases, the caravan is the person's only or main residence.

Section 12 – Protection of occupiers against eviction and harassment

Section 12 protects those living in caravans on residential (protected) caravan sites from eviction (other than through court proceedings) and harassment. It is an offence for the owner of a protected site or their agent to intend to cause the caravan occupier to abandon the caravan, remove it from the site or prevent them having access to their rights or a form of redress by withholding or withdrawing services or doing acts likely to interfere with the peace or comfort of the caravan occupier or anyone living with them.

Sub-section(8) sets out the penalties for a person guilty of such an offence and sub-section (12) enables district councils to prosecute such offences in relation to sites within their districts.

Section 13 – Provision for suspension of eviction orders

Section 13 establishes the powers of the courts in relation to proceedings for eviction and the factors the court should take into account in such proceedings. The court can suspend the enforcement of an eviction order for up to 12 months providing the relevant caravan is on a site which has a valid site license.

Section 14 – Supplementary

Section 14 defines 'the court' for the purposes of Part 3 as the county court and clarifies the operation of related legislation in light of Part 3.