



Land Compensation Act 1973

1973 CHAPTER 26

PART III

PROVISIONS FOR BENEFIT OF PERSONS DISPLACED FROM LAND

Home loss payments

29 Right to home loss payment where person displaced from dwelling.

- (1) Where a person is displaced from a dwelling on any land in consequence of—
- (a) the compulsory acquisition of an interest in the dwelling;
 - (b) the making . . . ^{F1} or acceptance of a housing order . . . ^{F1} or undertaking in respect of the dwelling. . . ^{F2}
 - (c) where the land has been previously acquired by an authority possessing compulsory purchase powers or appropriated by a local authority and is for the time being held by the authority for the purposes for which it was acquired or appropriated, the carrying out of [^{F3}any improvement to the dwelling or of] redevelopment on the land,
 - [^{F4}(d) the carrying out of any improvement to the dwelling or of redevelopment on the land by a housing association which has previously acquired the land and at the date of the displacement is [^{F5}a registered social landlord within the meaning of the Housing Act 1985 (see section 5(4) and (5) of that Act)];
 - [^{F6}(e) the making of an order for possession on ground 10 or 10A in Part II of Schedule 2 to the Housing Act 1985;] he shall, subject to the provisions of this section and section 32 below, be entitled to receive a payment (hereafter referred to as a “home loss payment”) from
 - [^{F7}(i) where paragraph (a) above applies, the acquiring authority;
 - (ii) where paragraph (b) above applies, the authority who made the order, ^{F8} . . . , accepted the undertaking or served the notice;
 - (iii) where paragraph (c) above applies, the authority carrying out the improvement or redevelopment; ^{F9} . . .

Status: Point in time view as at 05/12/2005.

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(iv) where paragraph (d) above applies, the housing association carrying out the improvement or redevelopment.]]^{F10}and]

[^{F11}(v) where paragraph (e) [^{F12} above] applies, the landlord.]

^{F13}[(2) A person shall not be entitled to a home loss payment unless the following conditions have been satisfied throughout the period of one year ending with the date of displacement—

- (a) he has been in occupation of the dwelling, or a substantial part of it, as his only or main residence; and
- (b) he has been in such occupation by virtue of an interest or right to which this section applies,

but, if those conditions are satisfied on the date of displacement, a payment (referred to in this section and sections 32 and 33 below as a “ discretionary payment ”) may be made to him of an amount not exceeding the amount to which he would have been entitled if he had satisfied those conditions throughout that period.]

(3) For the purposes of this section a person shall not be treated as displaced from a dwelling in consequence of the compulsory acquisition of an interest therein if he gives up his occupation thereof before the date on which the acquiring authority were authorised to acquire that interest, but, subject to that, it shall not be necessary for the acquiring authority to have required him to give up his occupation of the dwelling.

[^{F14}(3A) For the purposes of this section a person shall not be treated as displaced from a dwelling in consequence of the acceptance of an undertaking, ^{F15} . . . or of the carrying out of any improvement to the dwelling unless he is permanently displaced from it in consequence of the carrying out of the works specified in the undertaking or notice or, as the case may be, of the improvement in question.]

[^{F16}(3B) For the purposes of this section a person must not be treated as displaced from a dwelling in consequence only of the compulsory acquisition of part of a garden or yard or of an outhouse or appurtenance belonging to or usually enjoyed with the building which is occupied or is intended to be occupied as the dwelling.]

(4) This section applies to the following interests and rights—

- (a) any interest in the dwelling;
- ^{F17}[(b) a right to occupy the dwelling—
 - (i) as a statutory tenant within the meaning of theRent (Agriculture) Act 1976 or the Rent Act 1977, or
 - (ii) under a contract to which section 19 of the Rent Act 1977 (restricted contracts) applies or would apply if the contract or dwelling were not excluded by section 19(3) to (5) or 144 of that Act]

(c)^{F18}

(d) a right to occupy the dwelling under a contract of employment.

^{F19}[(e) a right to occupy the dwelling under a licence where—

- (i) it is a right to occupy as a protected occupier within the meaning of the Rent (Agriculture) Act 1976,
- (ii) Part IV of theHousing Act 1985 (secure tenancies) applies to the licence, ^{F20} . . .
- (iii) the licence is an assured agricultural occupancy within the meaning of Part I of the Housing Act 1988]]^{F21}, or
- (iv) Chapter 1 of Part V of the Housing Act 1996 (introductory tenancies) applies to the licence.]

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^{F22}(5)

(6) Where an authority possessing compulsory purchase powers acquire the interest of any person in a dwelling by agreement, then, in relation to any other person who is displaced from the dwelling in consequence of the acquisition, subsections (1) to (4) above shall have effect as if the acquisition were compulsory and the authority (if not authorised to acquire the interest compulsorily) had been so authorised on the date of the agreement.

[^{F23}(7) In this section “ a housing order or undertaking ” means—

- (a) a demolition or closing order, or an obstructive building order, under Part IX of the Housing Act 1985 (slum clearance);
- (b) a closing order under section 368(4) of that Act (closing of multi-occupied house with inadequate means of escape from fire);
- (c) an undertaking accepted under section. . . ^{F24} 368 of that Act. . .]^{F24}

[^{F25}(7A) In this section—

“ improvement ” includes alteration and enlargement; and
“ redevelopment ” includes a change of use.]

(8) Where an interest in a dwelling is vested in trustees (other than a sole tenant for life within the meaning of the ^{M1}Settled Land Act 1925) and a person beneficially entitled (whether directly or derivatively) under the trusts is entitled or permitted by reason of his interest to occupy the dwelling, he shall be treated for the purposes of this section as occupying it by virtue of an interest in the dwelling.

. . . ^{F1}

(9) This section applies if the date of displacement is on or after 17th October 1972.

Textual Amendments

- F1** Words repealed by [Land Compensation \(Scotland\) Act 1973 \(c. 56\)](#) , [Sch. 2 Pt. I](#)
- F2** Words repealed by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1\)](#) , s. 194(4), [Sch. 12 Pt. II](#)
- F3** Words inserted by [Housing Act 1974 \(c. 44\)](#) , s. 130 , [Sch. 13 para. 38\(1\)\(b\)](#)
- F4** S. 29(1)(d) substituted by [Housing \(Consequential Provisions\) Act 1985 \(c. 71, SIF 61\)](#) , s. 4 , [Sch. 2 para. 24\(2\) \(b \)](#)
- F5** Words in s. 29(1)(d) substituted (1.10.1996) by S. I 1996/2325, art. 5(1), Sch. 2 para. 3(2)
- F6** S. 29(1)(e) inserted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#) , [s. 9\(3\) \(a \)](#)
- F7** Paras. (i) to (iv) substituted for words by [Housing Act 1974 \(c. 44\)](#) , s. 130 , [Sch. 13 para. 38\(1\)\(c\)](#)
- F8** Words in s. 29(1)(ii) repealed (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067, [art. 4](#)) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#) , ss. 70, 84(6), Sch. 15 para. 22(2)(a), [Sch. 19 Pt. III](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#).
- F9** Word following s. 29(1)(iii) repealed (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , [art. 4](#)) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#) , ss. 70 , 84(6) , Sch. 15 para. 22(2)(b) , [Sch. 19 Pt. III](#) (with s. 84(5)) ; S.I. 1991/2067 , [art. 3](#)
- F10** Word in s. 29(1) inserted (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , [art. 4](#)) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#) , s. 70 , [Sch. 15 para. 22\(2\)\(c\)](#) (with s. 84(5)) ; S.I. 1991/2067 , [art. 3](#) .
- F11** S. 29(1)(v) inserted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#) , [s. 9\(3\) \(b \)](#)

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- F12** Word in s. 29(1)(v) inserted (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , **art. 4**) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , s. 70 , **Sch. 15 para. 22(2)(d)** (with s. 84(5)); S.I. 1991/2067 , **art. 3** .
- F13** S. 29(2) substituted (25.09.1991) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , **s. 68(1)(9)** (with s. 84(5)); S.I. 1991/2067 , **art. 3** .
- F14** S. 29(3A) inserted by Housing Act 1974 (c. 44) , s. 130 , **Sch. 13 para. 38(2)**
- F15** Words in s. 29(3A) repealed (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , **art. 4**) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , ss. 70, 84(6), Sch. 15 para. 22(3), **Sch. 19 Pt. III** (with s. 84(5)); S.I. 1991/2067 , **art. 3** .
- F16** S. 29(3B) inserted (31.10.2004) by Planning and Compulsory Purchase Act 2004 (c. 5) , **Sch. 7 para. 7(2)** (with s. 111 , Sch. 7 para. 7(5)); S.I. 2004/2593 , art. 2(d)
- F17** S. 29(4)(b) substituted (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , **art. 4**) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , s. 70 , **Sch. 15 para. 22(4)(a)** (with s. 84(5)); S.I. 1991/2067 , **art. 3** .
- F18** S. 29(4)(c) repealed by Land Compensation (Scotland) Act 1973 (c. 56) , **Sch. 2 Pt. I**
- F19** S. 29(4)(e) substituted (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067 , **art. 4**) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , s. 70 , **Sch. 15 para. 22(4)(b)** (with s. 84(5)); S.I. 1991/2067 , **art. 3** .
- F20** Word in s. 29(4)(e) omitted (12.2.1997) by virtue of S.I. 1997/74 , art. 2 , **Sch. para. 1**
- F21** S. 29(4)(e)(iv) and word immediately preceding it inserted (12.2.1997) by S.I. 1997/74 , art. 2 , **Sch. para. 1**
- F22** S. 29(5) repealed (25.09.1991) by Planning and Compensation Act 1991 (c. 34, SIF 28:1) , ss. 68(2)(9) , 84(6) , **Sch. 19 Pt. III** (with s. 84(5)); S.I. 1991/2067 , **art. 3**
- F23** S. 29(7) substituted by Housing (Consequential Provisions) Act 1985 (c. 71, SIF 61) , s. 4 , **Sch. 2 para. 24(2) (d)**
- F24** Words repealed by Local Government and Housing Act 1989 (c. 42, SIF 81:1) , s. 194(4), **Sch. 12 Pt. II**
- F25** S. 29(7A) inserted by Housing Act 1974 (c. 44) , s. 130 , **Sch. 13 para. 38(3)**

Modifications etc. (not altering text)

- C1** References to Rent Act 1968, ss. 70(3)(a) and 71 of that Act, and to a Part VI contract to be construed respectively as references to Rent Act 1977 (c. 42) , **ss. 19** and 144 of that Act, and to a restricted contract: Rent Act 1977 (c. 42) , **Sch. 24 para. 1(8)** and Interpretation Act 1978 (c. 30) , **s. 17(2)(a)** .

Marginal Citations

- M1** 1925 c. 18 .

[^{F27}29A Spouses [^{F26}and civil partners]having statutory rights of occupation.

- (1) This section applies where, by reason of the entitlement of [^{F28}one spouse or civil partner (“A”)] to occupy a dwelling by virtue of an interest or right to which section 29 above applies, [^{F29}the other spouse or civil partner (“B”) acquires home rights][^{F30}(within the meaning of Part IV of the Family Law Act 1996)] .
- (2) So long as—
- (a) those [^{F31}home rights] continue,
 - (b) B is in occupation of the dwelling and A is not, and
 - (c) B is not, apart from this section, treated as occupying the dwelling by virtue of an interest or right to which that section applies,

B shall be treated for the purposes of that section as occupying the dwelling by virtue of such an interest (but not an owner’s interest within the meaning of section 30 below).

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(3) References in this section to a dwelling include a reference to a substantial part of it.]

Textual Amendments

- F26** Words in s. 29A heading inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 9 para. 17\(4\)](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1
- F27** S. 29A inserted (25.09.1991 subject to the restrictions referred to in [S.I. 1991/2067](#), [art. 4](#)) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), s. 69 (with s. 84(5)); [S.I. 1991/2067](#), [art. 3](#).
- F28** Words in s. 29A(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 9 para. 17\(2\)\(a\)](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1
- F29** Words in s. 29A(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 9 para. 17\(2\)\(b\)](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1
- F30** Words in s. 29A(2)(a) substituted (1.10.1997) by [1996 c. 27](#), s. 66(1), [Sch. 8 Pt. III para. 48\(2\)](#) (with [Sch. 9 paras. 8, 9, 10](#)); [S.I. 1997/1892](#), [art. 3\(1\)\(b\)](#)
- F31** Words in s. 29A(2)(a) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 9 para. 17\(3\)](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1

[^{F32}30 Amount of home loss payment in England and Wales.

- (1) In the case of a person who on the date of displacement is occupying, or is treated for the purposes of section 29 above as occupying, the dwelling by virtue of an interest in it which is an owner's interest, the amount of the home loss payment shall be 10 per cent. of the market value of his interest in the dwelling or, as the case may be, the interest in the dwelling vested in trustees, subject to a maximum of £15,000 and a minimum of £1,500.
- (2) In any other case, the amount of the home loss payment shall be £1,500.
- (3) For the purposes of this section and section 32 below the market value of an interest in a dwelling—
- in a case where the interest is compulsorily acquired, is the amount assessed for the purposes of the acquisition as the value of the interest; and
 - in any other case, is the amount which, if the interest were being compulsorily acquired in pursuance of a notice to treat served on the date of displacement, would be assessed for the purposes of the acquisition as the value of the interest,
- and any dispute as to the amount referred to in paragraph (b) above shall be determined by the Lands Tribunal.
- (4) In determining for the purposes of this section and section 32 below the market value of an interest in a dwelling, the dwelling shall be taken to include any garden, yard, outhouses and appurtenances belonging to or usually enjoyed with that dwelling.
- (5) The Secretary of State may from time to time by regulations prescribe a different maximum or minimum for the purposes of subsection (1) above and a different amount for the purposes of subsection (2) above.
- (6) The power to make regulations under subsection (5) above shall be exercisable by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (7) In this section “ owner's interest ” means the interest of a person who is an owner as defined in section 7 of the ^{M2} Acquisition of Land Act 1981.]

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Textual Amendments

F32 S. 30 substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), s. **68(3)(9)** (with s. 84(5)); S.I. 1991/2067, art. 3.

Marginal Citations

M2 [1981 c. 67](#)

31 **F33**

Textual Amendments

F33 Ss. 28(5), 31 repealed by [Land Compensation \(Scotland\) Act 1973 \(c. 56\)](#), **Sch. 2 Pt. I**

32 Supplementary provisions about home loss payments.

[^{F34}(1) No home loss payment or discretionary payment shall be made except on a claim in writing made by the claimant giving such particulars as the authority responsible for making the payment may reasonably require for the purpose of determining whether the payment should be made and, if so, its amount.

(2) Where a person is entitled to a home loss payment, the payment shall be made on or before the latest of the following dates—

- (a) the date of displacement;
- (b) the last day of the period of three months beginning with the making of the claim; and
- (c) where the amount of the payment is to be determined in accordance with section 30(1) above, the day on which the market value of the interest in question is agreed or finally determined.

(2A) Where the amount of the payment is to be determined in accordance with section 30(1) above—

- (a) the acquiring authority may at any time make a payment in advance; and
- (b) if, on the later of the dates referred to in subsection (2)(a) and (b) above, the market value of the interest in question has not been agreed or finally determined, the acquiring authority shall make a payment in advance (where they have not already done so).

(2B) The amount of the payment in advance shall be the lesser of—

- (a) the maximum amount for the purposes of section 30(1) above,
- (b) 10 per cent. of the amount agreed to be the market value of the interest in question or, if there is no such agreement, 10 per cent. of the acquiring authority's estimate of that amount.

(2C) Where the amount of a payment in advance differs from the amount of the home loss payment, the shortfall or excess shall be paid by or, as the case may be, repaid to the acquiring authority when the market value of the interest in question is agreed or finally determined.

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- (3) Where the claimant has satisfied, throughout any period, the conditions mentioned in section 29(2) above, that period shall be treated for the purposes of that subsection as including any immediately preceding period throughout which—
- (a) he has resided in the dwelling as his only or main residence but without satisfying those conditions, and
 - (b) another person or other persons have satisfied those conditions,
- and references in this subsection and subsection (3A) below to a dwelling include a reference to a substantial part of it.
- (3A) Where the claimant has satisfied, throughout any period, the conditions mentioned in section 29(2) above, that period (or that period as extended under subsection (3) above) shall be treated for the purposes of section 29(2) above as including any immediately preceding period, or successive periods, throughout which he satisfied the conditions mentioned in section 29(2) above in relation to another dwelling or, as the case may be, other dwellings (applying subsection (3) above to determine the length of any period or periods).]
- (4) [^{F35}Where a person (“the deceased”) entitled to a home loss payment dies without having claimed it, a claim to the payment may be made], by any person, not being a minor, who—
- (a) throughout a period of not less than [^{F36}one year] ending with the date of displacement of the deceased, has resided in the dwelling, or a substantial part of it, as his only or main residence; and
 - (b) is entitled to benefit by virtue of testamentary dispositions taking effect on, or the law of intestate succession or the right of survivorship between joint tenants as applied to, the death of the deceased.
- (5) Where the claimant has successively been in occupation of or resided in different dwellings in the same building, being dwellings consisting of a room or rooms not constructed or structurally adapted for use as a separate dwelling, section 29(2) above and subsections [^{F37}(3) to (4)] above shall have effect as if those dwellings were the same dwelling.
- (6) Where there are two or more persons entitled to make a claim to a home loss payment in respect of the same dwelling (whether by virtue of joint occupation or of subsection (4) above) the payment to be made on each claim shall be equal to the whole amount of the home loss payment divided by the number of such persons.
- (7) Where an interest in a dwelling is acquired by agreement by an authority possessing compulsory purchase powers, the authority may, in connection with the acquisition, make to the person from whom the interest is acquired a payment corresponding to any home loss payment [^{F38}or discretionary payment] which they would be required [^{F38}or authorised] to make to him if the acquisition were compulsory and the authority had been authorised to acquire that interest before he gave up occupation of the dwelling.
- [^{F39}(7A) For the purposes of the ^{M3} Limitation Act 1939 a person’s right of action to recover a home loss payment shall be deemed to have accrued on the date of displacement.]
- [^{F40}(7B) Where a landlord obtains possession by agreement of a dwelling subject to a secure tenancy within the meaning of Part IV of the Housing Act 1985 and—
- (a) notice of proceedings for possession of the dwelling has been served, or might have been served, specifying ground 10 or 10A in Part II of Schedule 2 to that Act, or

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(b) the landlord has applied, or could apply, to the Secretary of State or the Housing Corporation ^{F41} . . . for approval for the purposes of ground 10A of a redevelopment scheme including the dwelling, or part of it,

the landlord may make to [^{F42}any person giving up possession or occupation] a payment corresponding to any home loss payment [^{F38}or discretionary payment] which they would be required [^{F38}or authorised] to make to him if an order for possession had been made on either of those grounds.]

(8) ^{F43}

(9) ^{F44}

Textual Amendments

- F34** S. 32(1)-(3A) substituted (25.09.1991) for s. 32(1)-(3) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(4\)\(9\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#).
- F35** Words substituted by [Local Government, Planning and Land Act 1980 \(c. 65\)](#) s. 114(3)(6) except in cases where the date of displacement was more than 6 months before 13.11.1980
- F36** Words in s. 32(4) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(5\)\(9\)](#)(with s. 84(5)); S.I. 1991/2067, [art. 3](#)
- F37** Words in s. 32(5) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(6\)\(9\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#).
- F38** Words in s. 32(7)(7B) inserted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(7\)\(9\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#).
- F39** S. 32(7A) inserted by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [s. 114\(4\)\(6\)](#) except in cases where the date of displacement was more than 6 months before 13.11.1980
- F40** S. 32(7B) inserted by [Housing and Planning Act 1986 \(c. 63, SIF 61\)](#), [s. 9\(4\)](#)
- F41** Words in s. 32(7B)(b) repealed (1.11.1998) by 1998 c. 38, s. 152, [Sch. 18 Pt. VI](#) (with ss. 137(1), 139(2), 143(2)); S.I. 1998/2244, [art. 5](#)
- F42** Words in s. 32(7B) substituted (25.09.1991) subject to the restrictions referred to in S.I. 1991/2067, [art. 4](#) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), s. 70, [Sch. 15 para. 23](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#).
- F43** S. 32(8) repealed by [Local Government, Planning and Land Act 1980 \(c. 65\)](#), [Sch. 34 Pt XII](#)
- F44** S. 32(9) repealed by [Land Compensation \(Scotland\) Act 1973 \(c. 56\)](#), [Sch. 2 Pt. I](#)

Marginal Citations

M3 [1939 c. 21](#).

33 Home loss payments for certain caravan dwellers.

- (1) Sections 29 to 32 above shall, so far as applicable, have effect in relation to a person residing in a caravan on a caravan site who is displaced from that site as they have effect in relation to a person displaced from a dwelling on any land but shall so have effect subject to the following modifications.
- (2) No home loss payment [^{F45}or discretionary payment] shall be made to any person by virtue of this section except where no suitable alternative site for stationing a caravan is available to him on reasonable terms.
- (3) Subsection (1) of section 29 above shall have effect as if for the words preceding paragraph (a) there were substituted the words “Where a person residing in a caravan on a caravan site is displaced from that site in consequence of” and subsection (2) of that section shall have effect as if for paragraphs (a) and (b) there were substituted—

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- [^{F46cc}(a) he has been in occupation of the caravan site by using a caravan stationed on it as his only or main residence; and
- (b) he has been in such occupation of the site by virtue of an interest or right to which this section applies.”]
- ^{F47}[(4) Section 30 above shall have effect as if the references to a person occupying a dwelling by virtue of an interest in it and to his interest in the dwelling were to a person occupying a caravan site by virtue of an interest in it and to that interest.]
- (5) Section 32 above shall have effect—
- ^{F48}[(a) as if in subsections (3) and (3A) the references to a dwelling were to a caravan site;]
- (b) as if in subsection (4) for the words “resided in the dwelling, or a substantial part of it” there were substituted the words “resided in a caravan on the caravan site”; and
- (c) as if for subsection (5) there were substituted—
- “(5) Where any land comprises two or more caravan sites and the claimant has successively been in occupation of or resided in a caravan on different caravan sites on that land, section 29(2) above and subsections [^{F49}(3) to (4)] above shall have effect as if those sites were the same site.”
- (6) Sections 29 to 32 above shall have effect as if in any provision not modified as aforesaid for any reference to a dwelling or land there were substituted a reference to a caravan site.
- (7) In this section “caravan site” means land on which a caravan is stationed for the purpose of human habitation and land which is used in conjunction with land on which a caravan is so stationed.

Textual Amendments

- F45** Words in s. 33(2) inserted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(8\)\(a\)\(9\)](#)(with s. 84(5)); [S.I. 1991/2067](#), [art.3](#)
- F46** Words in s. 33(3) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(8\)\(b\)\(9\)](#) (with s. 84(5)); [S.I. 1991/2067](#), [art. 3](#).
- F47** S. 33(4) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(8\)\(c\)\(9\)](#) (with s. 84(5)); [S.I. 1991/2067](#), [art. 3](#).
- F48** S. 33(5)(a) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(8\)\(d\)\(9\)](#) (with s. 84(5)); [S.I. 1991/2067](#), [art.3](#).
- F49** Words in s. 33(5)(c) substituted (25.09.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\)](#), [s. 68\(8\)\(d\)\(9\)](#) (with s. 84(5)); [S.I. 1991/2067](#),[art. 3](#).

Status:

Point in time view as at 05/12/2005.

Changes to legislation:

Land Compensation Act 1973, Cross Heading: Home loss payments is up to date with all changes known to be in force on or before 25 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.