



# Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951

## 1951 CHAPTER 65

### PART II

#### PROTECTION AGAINST INSECURITY OF TENURE OF PLACE OF RESIDENCE

##### *Protection during service other than short period of training*

#### **23 Interpretation of Part II**

(1) In this Part of this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" agricultural land " has the same meaning as in the Rent Act of 1939;

" Crown interest " means an interest belonging to His Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall, or to a Government department, or held on behalf of His Majesty for the purposes of a Government department;

" dependant ", in relation to a service man, means—

(a) his wife, and

(b) any other member of his family who was wholly or mainly maintained by him immediately before the beginning of the period of service in question;

" landlord " and " tenant " have the same meanings as in the Rent Restrictions Acts;

" policeman service man " means a service man who, immediately before beginning the period of relevant service in question, was a member of a police force;

" police force " means a police force maintained by virtue of a scheme under the Police Act, 1946, or maintained for a police area mentioned in the Third Schedule to the Police Pensions Act, 1921;

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*Status: This is the original version (as it was originally enacted).*

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" relevant police authority " means, in relation to a police force maintained by virtue of a scheme under the Police Act, 1946, the authority responsible under the scheme for the maintenance of that force, and, in relation to any other police force, the police authority (within the meaning of the Police Pensions Act, 1921) responsible for the maintenance of that force;

" statutory tenancy " means a right to retain possession of premises after the ending of a tenancy thereof, being a right arising on the ending of that tenancy from the operation of the Rent Restrictions Acts (or of those Acts as extended by this Part of this Act) in relation to a person as being, or being the widow of or otherwise related to, the former owner of the tenancy, or a right to retain possession of premises arising by virtue of subsection (1) of section eighteen of this Act;

" tenancy " includes a statutory tenancy, and, apart from a statutory tenancy, means a tenancy created either immediately or derivatively out of the freehold, whether by a lease or underlease, by an agreement for a lease or underlease or by a tenancy agreement, but does not include any relationship between a mortgagor and a mortgagee as such.

(2) In this Part of this Act—

- (a) references to the ending of a tenancy are references to the coming to an end thereof however brought about, whether by effluxion of time, notice to quit or otherwise, and in particular, as respects a statutory tenancy, include references to the coming to an end thereof as between the tenant and a landlord who is himself a tenant by reason of the ending of the tenancy of the landlord;
- (b) references to a tenancy vested in any person include references to a tenancy vested in trustees, or held as part of the estate of a deceased person, where the first-mentioned person has a right or permission to occupy the premises arising by reason of a beneficial interest (whether direct or derivative) under the trusts or, as the case may be, in the estate of the deceased person or under trusts of which the deceased person was trustee.

(3) In this Part of this Act, and in the Rent Restrictions Acts as applied by any provision thereof, references to rent shall be construed as including references to any sum in the nature of rent payable in respect of such a licence as is mentioned in section eighteen of this Act.