

**29B. Relevant interest — owner-occupier of caravan or park home**

- (1) In this section —
- “**caravan**” has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995*;
  - “**caravan park**” has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995*;
  - “**owner**”, in relation to land, has the meaning given to that term in the *Residential Tenancies Act 1987*;
  - “**park home**” has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995*;
  - “**residential tenancy agreement**” has the meaning given to that term in the *Residential Tenancies Act 1987*;
  - “**site**” has the meaning given to that term in the *Caravan Parks and Camping Grounds Act 1995*.
- (2) Where an eligible person who occupies a site on land in a caravan park —
- (a) has entered into a prescribed charge arrangement described in subsection (3) in relation to the land or is taken to have entered into such an arrangement under subsection (4); and
  - (b) is and remains liable to pay the prescribed charge as an amount payable under the prescribed charge arrangement,
- that person has an interest in the land which is to be taken to be relevant for the purposes of this Act.
- (3) An eligible person enters into a prescribed charge arrangement for the purposes of this section if the person enters into a written contract, agreement, scheme, deed or other written arrangement with the owner of land in a caravan park to pay, either directly or indirectly, a prescribed charge on the land occupied by the person as an owner-occupier.
- (4) An eligible person is taken to have entered into a prescribed charge arrangement for the purposes of this section if the eligible person —
- (a) was the spouse or de facto partner of a deceased eligible person who had entered into a prescribed charge arrangement; and
  - (b) was residing with the deceased eligible person at the time of his or her death.
- (5) An eligible person occupies a site as an owner-occupier for the purposes of this section if —
- (a) the eligible person —
    - (i) is the owner of a caravan or park home situated on the site in a caravan park; and
    - (ii) has, under the terms of a written residential tenancy agreement and from the date on which an entitlement of that person is registered, an exclusive right to occupy that site for a term of 5 years or longer, or such other term as may be prescribed in place of that term;
  - or
  - (b) the eligible person —

- (i) is the spouse or de facto partner of an eligible person referred to in paragraph (a), or was the spouse or de facto partner of a deceased person who was an eligible person referred to in paragraph (a) at the time of his or her death; and
- (ii) resides with that person, or was residing with that deceased person at the time of his or her death.

*[Section 29B inserted by No. 9 of 2005 s. 11.]*