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STATUTORY INSTRUMENTS

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**1989 No. 677**

**The Matrimonial and Family Proceedings  
(Northern Ireland) Order 1989**

**PART IV**

**FINANCIAL RELIEF IN NORTHERN  
IRELAND AFTER OVERSEAS DIVORCE ETC.**

*Orders for transfer of tenancies*

**Powers of the court in relation to certain tenancies of dwelling-houses**

**26.** Where an application is made by a party to a marriage for an order for financial relief then, if—

- (a) one of the parties to the marriage is entitled, either in his or her own right or jointly with the other party, to occupy a dwelling-house situated in Northern Ireland by virtue of such a tenancy as is mentioned in paragraph 1 of Schedule 1, and
- (b) the dwelling-house has at some time during the marriage been a matrimonial home of the parties to the marriage, the court may make in relation to that dwelling-house any order which it could make under Part II of that Schedule if a decree of divorce, a decree of nullity of marriage or a decree of judicial separation in respect of the marriage had been granted in Northern Ireland; and the provisions of paragraphs 5 and 8(1) of that Schedule shall apply in relation to any order made under this Article as they apply in relation to an order made under Part II of that Schedule.