

SCHEDULES

SCHEDULE 2

TRANSFER OF CERTAIN TENANCIES ON DIVORCE ETC. OR ON SEPARATION OF COHABITEES

PART I

GENERAL

Cases in which court may make order

2.—(1) This paragraph applies if one spouse is entitled, either in his own right or jointly with the other spouse, to occupy a dwelling-house by virtue of a protected tenancy, a statutory tenancy or a secure tenancy.

(2) At any time when it has power to make a property adjustment order under Article 26 of the Matrimonial Causes (Northern Ireland) Order 1978 with respect to the marriage, the court may make a Part II order.

(3) On the application of the other spouse within three months after an occupation order is made, the court may make a Part II order.