

---

STATUTORY INSTRUMENTS

---

**2003 No. 412**

The Housing (Northern Ireland) Order 2003

PART II

CONDUCT OF TENANTS

CHAPTER II

INTRODUCTORY TENANCIES

*Assignment*

**Assignment in general prohibited**

**16.**—(1) An introductory tenancy is not capable of being assigned except in the cases mentioned in paragraph (2).

(2) The exceptions are—

(a) an assignment in pursuance of an order made under—

- (i) Article 26 of the [Matrimonial Causes \(Northern Ireland\) Order 1978 \(NI 15\)](#) (property adjustment orders in connection with matrimonial proceedings),
- (ii) Article 21 of the [Matrimonial and Family Proceedings \(Northern Ireland\) Order 1989 \(NI 4\)](#) (property adjustment orders after overseas divorce, &c.),
- (iii) paragraph 2 of Schedule 1 to the [Children \(Northern Ireland\) Order 1995 \(NI 2\)](#) (orders for financial relief against parents), or
- (iv) Part II of Schedule 2 to the [Family Homes and Domestic Violence \(Northern Ireland\) Order 1998 \(NI 6\)](#) (orders transferring certain tenancies on divorce, etc., and on separation of cohabitees),

(b) an assignment to a person who would be qualified to succeed the tenant if the tenant died immediately before the assignment.

(3) Paragraph (1) also applies to a tenancy which is not an introductory tenancy but would be if the tenant, or where the tenancy is a joint tenancy, at least one of the tenants, were occupying or continuing to occupy the dwelling-house as his only or principal home.