

## SCHEDULES

### SCHEDULE 8

#### CONSEQUENTIAL AND MINOR AMENDMENTS

##### *Matrimonial Homes Act 1967 (c. 75)*

- 16 In section 7 of the Matrimonial Homes Act 1967 (provision for case where Rent Act applies and marriage is terminated by divorce etc.)—
- (a) in subsection (1) for the words " a protected tenancy or of a statutory tenancy " substitute the words—
- “(a) a protected tenancy or statutory tenancy within the meaning of the Rent Act 1968, or
- (b) a statutory tenancy within the meaning of the Rent (Agriculture) Act 1976”;
- (b) in subsection (2) after the words " protected tenancy " insert the words " within the meaning of the Rent Act 1968 ";
- (c) in subsection (3) after the words " statutory tenancy ", in the first place where they occur, insert the words " within the meaning of the Rent Act 1968 ";
- (d) after subsection (3) insert the following subsection—
- “(3A) Where the spouse is entitled as aforesaid to occupy the dwelling-house by virtue of a statutory tenancy within the meaning of the Rent (Agriculture) Act 1976, the court may by order direct that, as from the date on which the decree is made absolute, that spouse shall cease to be entitled to occupy the dwelling-house and that his or her former spouse shall be deemed to be the tenant or, as the case may be, the sole tenant under that statutory tenancy; and a spouse who is deemed as aforesaid to be the tenant under a statutory tenancy shall be (within the meaning of that Act) a statutory tenant in his own right, or a statutory tenant by succession, according as his or her former spouse was a statutory tenant in his own right, or a statutory tenant by succession.”;
- (e) for subsection (8) substitute the following subsection—
- “(8) In this section—
- ' landlord ' includes any person from time to time deriving title under the original landlord and also includes, in relation to any dwelling-house, any person other than the tenant who is, or but for Part II of the Rent Act 1968 or Part II of the Rent (Agriculture) Act 1976 would be, entitled to possession of the dwelling-house ;
- ' tenancy' includes sub-tenancy.”