

Status: Point in time view as at 25/11/2008.

Changes to legislation: Family Law Act 1996, Cross Heading: Liabilities and obligations in respect of the dwelling-house is up to date with all changes known to be in force on or before 02 February 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 7

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

PART III

SUPPLEMENTARY PROVISIONS

Liabilities and obligations in respect of the dwelling-house

- 11 (1) If the court makes a Part II order, it may by the order direct that both spouses [^{F1}, civil partners] or cohabitants are to be jointly and severally liable to discharge or perform any or all of the liabilities and obligations in respect of the dwelling-house (whether arising under the tenancy or otherwise) which—
- (a) have at the date of the order fallen due to be discharged or performed by one only of them; or
 - (b) but for the direction, would before the date specified as the date on which the order is to take effect fall due to be discharged or performed by one only of them.
- (2) If the court gives such a direction, it may further direct that either spouse [^{F2}, civil partner] or cohabitant is to be liable to indemnify the other in whole or in part against any payment made or expenses incurred by the other in discharging or performing any such liability or obligation.

Textual Amendments

- F1** Words in Sch. 7 para. 11(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 82, 263, **Sch. 9 para. 16(15)**; S.I. 2005/3175, **art. 2(1)**, Sch. 1
- F2** Words in Sch. 7 para. 11(2) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 82, 263, **Sch. 9 para. 16(16)**; S.I. 2005/3175, **art. 2(1)**, Sch. 1

Modifications etc. (not altering text)

- C1** Sch. 7 Pt. III para. 11 applied (1.10.1997) by 1984 c. 42, **s. 22** (as substituted (1.10.1997) by 1996 c. 27, s. 66(1), Sch. 8 Pt. III para. 52 (with **Sch. 9 paras. 8-10**); S.I. 1997/1892, **art. 3**)
- C2** Sch. 7 para. 11 applied (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 72(4), 263, **Sch. 7 para. 13(3)**; S.I. 2005/3175, **art. 2(1)**, Sch. 1

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