
Changes to legislation: Civil Partnership Act 2004, Paragraph 3 is up to date with all changes known to be in force on or before 21 March 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) View outstanding changes

SCHEDULES

SCHEDULE 19

FAMILY HOMES AND DOMESTIC VIOLENCE: NORTHERN IRELAND

PART 1

AMENDMENTS OF THE FAMILY HOMES AND DOMESTIC VIOLENCE (NORTHERN IRELAND) ORDER (SI 1998/1071 (NI 6))

- 3 (1) Amend Article 4 (rights concerning matrimonial home where one spouse has no estate, etc.) as follows.
- (2) In paragraph (1)—
- (a) in sub-paragraph (a)—
 - (i) after “one spouse” insert “ or civil partner (“A”) ”, and
 - (ii) for “that spouse” substitute “ A ”,
 - (b) in sub-paragraph (b), after “other spouse” insert “ or civil partner (“B”) ”.
- (3) In paragraph (2)—
- (a) for “the spouse not so entitled” substitute “ B ”,
 - (b) for “(“matrimonial home rights”)” substitute “ (“home rights”) ”, and
 - (c) in sub-paragraph (a), for “the other spouse” substitute “ A ”.
- (4) In paragraph (3)—
- (a) for “a spouse” and for “that spouse” substitute “ B ”, and
 - (b) for “the other spouse” (in both places) substitute “ A ”.
- (5) In paragraph (4)—
- (a) for “A spouse's” substitute “ B's ”,
 - (b) in sub-paragraph (a), for “by the other spouse as the other spouse's” substitute “ by A as A's ”, and
 - (c) in sub-paragraph (b)—
 - (i) for “the spouse occupies the dwelling-house as that spouse's” substitute “ B occupies the dwelling-house as B's ”, and
 - (ii) for “by the other spouse as the other spouse's” substitute “ by A as A's ”.
- (6) In paragraph (5)—
- (a) for “a spouse (“the first spouse”)” substitute “ B ”, and
 - (b) in sub-paragraph (b), for “the other spouse (“the second spouse”)” substitute “ A ”,
 - (c) for “the second spouse” (in both places) substitute “ A ”, and
 - (d) for “the first spouse” substitute “ B ”.

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- (7) In paragraph (6)—
- (a) for “a spouse” substitute “ B ”, and
 - (b) for “the other spouse” (in both places) substitute “ A ”.
- (8) In paragraph (7), for the words from first “which” to the end substitute “which—
- (a) in the case of spouses, has at no time been, and was at no time intended by them to be, a matrimonial home of theirs; and
 - (b) in the case of civil partners, has at no time been, and was at no time intended by them to be, a civil partnership home of theirs.”
- (9) In paragraph (8)—
- (a) for “A spouse’s matrimonial home rights” substitute “ B’s home rights ”,
 - (b) in sub-paragraph (a), after “marriage” insert “ or civil partnership ”, and
 - (c) in sub-paragraph (b), for “the other spouse” substitute “ A ”.
- (10) In paragraph (9)—
- (a) for “a spouse” substitute “ a person ”,
 - (b) for “matrimonial home rights” substitute “ home rights ”, and
 - (c) after “spouses” insert “ or civil partners ”.
- (11) In the heading to Article 4, for “matrimonial home where one spouse” substitute “ home where one spouse or civil partner ” and, in the preceding cross-heading, after “matrimonial” insert “ or civil partnership ”.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)