

## SCHEDULES

### SCHEDULE 19

#### FAMILY HOMES AND DOMESTIC VIOLENCE: NORTHERN IRELAND

##### PART 2

##### CONSEQUENTIAL AMENDMENTS

###### *Land Registration Act (Northern Ireland) 1970 (c. 18)*

- 22 In Part 1 of Schedule 6 (registration of certain burdens), in paragraph 14A for “matrimonial charge (within the meaning of Article 5(1) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 or” substitute “matrimonial or civil partnership charge (“

###### *Registration of Deeds Act (Northern Ireland) 1970 (c. 25)*

- 23 In section 4(4A), for “matrimonial charge (within the meaning of Article 5(1) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 or” substitute “matrimonial or civil partnership charge (“

###### *Land Acquisition and Compensation (Northern Ireland) Order 1973 (S.I. 1973/1896 (N.I. 21))*

- 24 (1) Amend Article 30A (spouses having statutory rights of occupation) as follows.
- (2) In paragraph (1)—
- (a) for “one spouse (“A”)” substitute “one spouse or civil partner (“A”)”, and
- (b) for “the other spouse (“B”) acquires matrimonial home rights” substitute “the other spouse or civil partner (“B”) acquires home rights”.
- (3) In paragraph (2), for “matrimonial home rights” substitute “home rights”.
- (4) In the heading to Article 30A, after “spouses” insert “and civil partners”.

###### *Rent (Northern Ireland) Order 1978 (S.I. 1978/1050 (N.I. 20))*

- 25 (1) Amend Article 14 (extended discretion of court in certain proceedings for possession) as follows.
- (2) In paragraph (4A)(b), for “tenant’s spouse or former spouse, having matrimonial home rights” substitute “tenant’s spouse or former spouse, or civil partner or former civil partner, having home rights”.
- (3) In paragraph (4B)—
- (a) after “the spouse or former spouse” insert “, or the civil partner or former civil partner,”, and

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*Status: This is the original version (as it was originally enacted).*

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(b) for “those matrimonial home rights” substitute “those home rights”.

(4) In paragraph (4C)—

(a) in sub-paragraph (b), for “former spouse of the tenant” substitute “former spouse or former civil partner of the tenant”, and

(b) in sub-paragraph (c) after “former spouse,” insert “former civil partner,”.

(5) In paragraph (4D), after “former spouse,” insert “former civil partner,”.

*Housing (Northern Ireland) Order 1983 (S.I. 1983/1118 (N.I. 15))*

26 In Article 36(1)(d) (rent not to be increased on account of tenant’s improvements), after “former spouse” insert “civil partner, former civil partner,”.

27 (1) Amend Article 47 (extended discretion of court in possession claims) as follows.

(2) In paragraph (5), for “tenant’s spouse or former spouse, having matrimonial home rights” substitute “tenant’s spouse or former spouse, or civil partner or former civil partner, having home rights”.

(3) In paragraph (6)—

(a) after “the spouse or former spouse” insert “, or the civil partner or former civil partner”, and

(b) for “those matrimonial home rights” substitute “those home rights”.

(4) In paragraph (7)—

(a) in sub-paragraph (b), for “former spouse of the tenant” substitute “former spouse or former civil partner of the tenant”,

(b) in sub-paragraph (c), after “former spouse” insert “former civil partner”.

(5) In paragraph (8) after “former spouse,” insert “former civil partner,”.

*Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))*

28 (1) Amend Article 309 (rights of occupation etc. of bankrupt’s spouse) as follows.

(2) In paragraph (1), for “matrimonial home rights” substitute “home rights”.

(3) In paragraph (2)—

(a) for “a spouse’s matrimonial home rights” substitute “a spouse’s or civil partner’s home rights”, and

(b) after “the other spouse” (in each place) insert “or civil partner”.

(4) In paragraph (3) after “spouse or former spouse” insert “or civil partner or former civil partner”.

29 (1) Amend Article 310 (rights of occupation of bankrupt) as follows.

(2) In paragraph (2), for “spouse (if any) has matrimonial home rights” substitute “spouse or civil partner (if any) has home rights”.

(3) In paragraph (3)—

(a) in sub-paragraph (a), for “matrimonial home rights” substitute “home rights”, and

(b) in sub-paragraph (c), after “spouse” insert “or civil partner”.