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**Changes to legislation:** Civil Partnership Act 2004, Paragraph 44 is up to date with all changes known to be in force on or before 20 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

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## SCHEDULES

### SCHEDULE 8

#### HOUSING AND TENANCIES

##### *Housing Act 1988 (c. 50)*

- 44 (1) Amend paragraph 3 of Schedule 3 (agricultural worker condition where dwelling occupied by surviving spouse or family member of previous qualifying occupier) as follows.
- (2) In sub-paragraphs (1)(c)(i), (3)(a) and (6), for “widow or widower” substitute “surviving partner”.
- (3) For sub-paragraph (2) substitute—
- “(2) For the purposes of sub-paragraph (1)(c)(i) above and sub-paragraph (3) below—
- (a) “surviving partner” means widow, widower or surviving civil partner; and
- (b) a surviving partner of the previous qualifying occupier of the dwelling-house is a qualifying surviving partner if that surviving partner was residing in the dwelling-house immediately before the previous qualifying occupier’s death.”
- (4) For sub-paragraph (5) (person living as wife or husband with previous occupier) substitute—
- “(5) For the purposes of sub-paragraph (2)(a) above—
- (a) a person who, immediately before the previous qualifying occupier’s death, was living with the previous occupier as his or her wife or husband shall be treated as the widow or widower of the previous occupier, and
- (b) a person who, immediately before the previous qualifying occupier’s death, was living with the previous occupier as if they were civil partners shall be treated as the surviving civil partner of the previous occupier.”

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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\(2\)](#)