



Family Law Act 1996

1996 CHAPTER 27

PART IV

FAMILY HOMES AND DOMESTIC VIOLENCE

General

62 Meaning of “cohabitants”, “relevant child” and “associated persons”

- (1) For the purposes of this Part—
 - (a) “cohabitants” are a man and a woman who, although not married to each other, are living together as husband and wife; and
 - (b) “former cohabitants” is to be read accordingly, but does not include cohabitants who have subsequently married each other.
- (2) In this Part, “relevant child”, in relation to any proceedings under this Part, means—
 - (a) any child who is living with or might reasonably be expected to live with either party to the proceedings;
 - (b) any child in relation to whom an order under the Adoption Act 1976 or the Children Act 1989 is in question in the proceedings; and
 - (c) any other child whose interests the court considers relevant.
- (3) For the purposes of this Part, a person is associated with another person if—
 - (a) they are or have been married to each other;
 - (b) they are cohabitants or former cohabitants;
 - (c) they live or have lived in the same household, otherwise than merely by reason of one of them being the other’s employee, tenant, lodger or boarder;
 - (d) they are relatives;
 - (e) they have agreed to marry one another (whether or not that agreement has been terminated);
 - (f) in relation to any child, they are both persons falling within subsection (4); or

Status: This is the original version (as it was originally enacted).

- (g) they are parties to the same family proceedings (other than proceedings under this Part).
- (4) A person falls within this subsection in relation to a child if—
- (a) he is a parent of the child; or
 - (b) he has or has had parental responsibility for the child.
- (5) If a child has been adopted or has been freed for adoption by virtue of any of the enactments mentioned in section 16(1) of the Adoption Act 1976, two persons are also associated with each other for the purposes of this Part if—
- (a) one is a natural parent of the child or a parent of such a natural parent; and
 - (b) the other is the child or any person—
 - (i) who has become a parent of the child by virtue of an adoption order or has applied for an adoption order, or
 - (ii) with whom the child has at any time been placed for adoption.
- (6) A body corporate and another person are not, by virtue of subsection (3)(f) or (g), to be regarded for the purposes of this Part as associated with each other.