

SCHEDULES

SCHEDULE 9

FAMILY HOMES AND DOMESTIC VIOLENCE

PART 2

CONSEQUENTIAL AMENDMENTS

Land Compensation Act 1973 (c. 26)

- 17 (1) Amend section 29A (spouses having statutory rights of occupation) as follows.
- (2) In subsection (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 subsection (2) for “matrimonial home rights” substitute “home rights”.
- (4) In the heading to section 29A, after “spouses” insert “and civil partners”.

Housing Act 1985 (c. 68)

- 18 (1) Amend section 85 (extended discretion of court in certain proceedings for possession) as follows.
- (2) In subsection (5)—
- (a) in paragraph (a) 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”,
 - (b) after “the spouse or former spouse” insert “, or the civil partner or former civil partner,”, and
 - (c) for “those matrimonial home rights” substitute “those home rights”.
- (3) In subsection (5A)—
- (a) in paragraph (a), for “former spouse of the tenant” substitute “former spouse or former civil partner of the tenant”, and
 - (b) in paragraph (b) and in the words following paragraph (c) after “former spouse,” insert “former civil partner,”.
- 19 In section 99B (persons qualifying for compensation) in subsection (2)(f), after “spouse, former spouse,” insert “civil partner, former civil partner,”.
- 20 In section 101 (rent not to be increased on account of tenant’s improvements) in subsection (3)(d), after “spouse, former spouse,” insert “civil partner, former civil partner,”.

Status: This is the original version (as it was originally enacted).

Insolvency Act 1986 (c. 45)

- 21 (1) Amend section 336 (rights of occupation etc. of bankrupt's spouse) as follows.
- (2) In subsection (1), for “matrimonial home rights” substitute “home rights”.
- (3) In subsection (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 subsection (4)(b) and (c) after “spouse or former spouse” insert “or civil partner or former civil partner”.
- (5) In the heading to section 336 after “spouse” insert “or civil partner”.
- 22 (1) Amend section 337 (rights of occupation of bankrupt) as follows.
- (2) In subsection (2), for “spouse (if any) has matrimonial home rights” substitute “spouse or civil partner (if any) has home rights”.
- (3) In subsection (3)—
- (a) in paragraph (a), for “matrimonial home rights” substitute “home rights”, and
- (b) in paragraph (c), after “spouse” insert “or civil partner”.

Housing Act 1988 (c. 50)

- 23 (1) Amend section 9 (extended discretion of court in possession claims) as follows.
- (2) In subsection (5)—
- (a) 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”,
- (b) after “the spouse or former spouse” insert “, or the civil partner or former civil partner”, and
- (c) for “those matrimonial home rights” substitute “those home rights”.
- (3) In subsection (5A)—
- (a) for “former spouse of the tenant” substitute “former spouse or former civil partner of the tenant”,
- (b) for “cohabitant, former cohabitant or former spouse” (in both places) substitute “former spouse, former civil partner, cohabitant or former cohabitant”.

Commonhold and Leasehold Reform Act 2002 (c. 15)

- 24 (1) Amend section 61 (matrimonial rights) as follows.
- (2) For “matrimonial home rights (within the meaning of section 30(2) of the Family Law Act 1996 (c. 27) (matrimonial home))” substitute “home rights (within the meaning of section 30(2) of the Family Law Act 1996 (c. 27) (rights in respect of matrimonial or civil partnership home))”.
- (3) In the heading to section 61 for “Matrimonial” substitute “Home”.