
Changes to legislation: Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 16 May 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 7

TRANSFER OF CERTAIN TENANCIES ON DIVORCE ETC. OR ON SEPARATION OF COHABITANTS

PART I

GENERAL

Interpretation

1 In this Schedule—

[^{F1}“civil partner”, except in paragraph 2, includes (where the context requires) former civil partner;]

“cohabitant”, except in paragraph 3, includes (where the context requires) former cohabitant;

[^{F2}“the court” means the High Court or the family court,]

“landlord” includes—

(a) any person from time to time deriving title under the original landlord;
and

(b) in relation to any dwelling-house, any person other than the tenant who is, or (but for Part VII of the ^{M1}Rent Act 1977 or Part II of the ^{M2}Rent (Agriculture) Act 1976) would be, entitled to possession of the dwelling-house;

“Part II order” means an order under Part II of this Schedule;

“a relevant tenancy” means—

(a) a protected tenancy or statutory tenancy within the meaning of the Rent Act 1977;

(b) a statutory tenancy within the meaning of the Rent (Agriculture) Act 1976;

(c) a secure tenancy within the meaning of section 79 of the ^{M3}Housing Act 1985; ^{F3} . . .

(d) an assured tenancy or assured agricultural occupancy within the meaning of Part I of the ^{M4}Housing Act 1988; [^{F4}^{F5} . . .

(e) an introductory tenancy within the meaning of Chapter I of Part V of the Housing Act 1996; [^{F6}or]

(f) [^{F7}an occupation contract within the meaning of the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7).]

“spouse”, except in paragraph 2, includes (where the context requires) former spouse; and

“tenancy” includes sub-tenancy.]

Changes to legislation: Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 16 May 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

Textual Amendments

- F1** Sch. 7 para. 1: definition of "civil partner" inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 82, 263, [Sch. 9 para. 16\(2\)](#); S.I. 2005/3175, [art. 2\(1\)](#), Sch. 1
- F2** Definition in Sch. 7 para. 1 substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 11 para. 145](#); S.I. 2014/954, [art. 2\(e\)](#) (with [art. 3](#)) (with transitional provisions and savings in S.I. 2014/956, arts. 3-11)
- F3** Word in Sch. 7 para. 1(c) omitted (12.2.1997) by virtue of S.I. 1997/74, [art. 2](#), [Sch. para. 10\(b\)\(i\)](#)
- F4** Sch. 7 para. 1(e) and preceding word inserted (12.2.1997) by S.I. 1997/74, [art. 2](#), [Sch. para. 10\(b\)\(i\)](#)
- F5** Word in [Sch. 7 para. 1](#) omitted (1.12.2022) by virtue of [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), [24\(3\)\(a\)\(i\)](#)
- F6** Word in [Sch. 7 para. 1](#) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), [24\(3\)\(a\)\(ii\)](#)
- F7** Words in [Sch. 7 para. 1](#) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), [24\(3\)\(a\)\(iii\)](#)

Marginal Citations

- M1** 1977 c. 42.
M2 1976 c. 80.
M3 1985 c. 68.
M4 1988 c. 50.

Changes to legislation:

Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 16 May 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.

[View outstanding changes](#)

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. 63(2)(k) inserted by [2021 c. 17 s. 52\(2\)](#)