

## SCHEDULES

### SCHEDULE 8

#### MINOR AND CONSEQUENTIAL AMENDMENTS

#### PART III

#### AMENDMENTS CONNECTED WITH PART IV

##### *The Insolvency Act 1986 (c. 45)*

- 57 (1) Section 336 of the Insolvency Act 1986 (rights of occupation etc. of bankrupt's spouse) is amended as follows.
- (2) In subsection (1), for "rights of occupation under the Matrimonial Homes Act 1983" substitute "matrimonial home rights under Part IV of the Family Law Act 1996".
- (3) In subsection (2)—
- (a) for "rights of occupation under the Act of 1983" substitute "matrimonial home rights under the Act of 1996", and
- (b) in paragraph (b), for "under section 1 of that Act" substitute "under section 33 of that Act".
- (4) In subsection (4), for "section 1 of the Act of 1983" substitute "section 33 of the Act of 1996".
- 58 (1) Section 337 of that Act is amended as follows.
- (2) In subsection (2), for "rights of occupation under the Matrimonial Homes Act 1983" substitute "matrimonial home rights under Part IV of the Family Law Act 1996".
- (3) For subsection (3) substitute—
- "(3) The Act of 1996 has effect, with the necessary modifications, as if—
- (a) the rights conferred by paragraph (a) of subsection (2) were matrimonial home rights under that Act,
- (b) any application for such leave as is mentioned in that paragraph were an application for an order under section 33 of that Act, and
- (c) any charge under paragraph (b) of that subsection on the estate or interest of the trustee were a charge under that Act on the estate or interest of a spouse."
- (4) In subsections (4) and (5) for "section 1 of the Act of 1983" substitute "section 33 of the Act of 1996".