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STATUTORY INSTRUMENTS

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**2003 No. 412**

**The Housing (Northern Ireland) Order 2003**

**PART II**

**CONDUCT OF TENANTS**

**CHAPTER II**

**INTRODUCTORY TENANCIES**

*Assignment*

**Assignment in general prohibited**

**16.**—(1) An introductory tenancy is not capable of being assigned except in the cases mentioned in paragraph (2).

(2) The exceptions are—

(a) an assignment in pursuance of an order made under—

(i) Article 26 of the Matrimonial Causes (Northern Ireland) Order 1978 (NI 15) (property adjustment orders in connection with matrimonial proceedings),

(ii) Article 21 of the Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (NI 4) (property adjustment orders after overseas divorce, &c.),

(iii) paragraph 2 of Schedule 1 to the Children (Northern Ireland) Order 1995 (NI 2) (orders for financial relief against parents), or

(iv) Part II of Schedule 2 to the Family Homes and Domestic Violence (Northern Ireland) Order 1998 (NI 6) (orders transferring certain tenancies on divorce, etc., and on separation of cohabitantes),

[<sup>F1</sup>(v) Part 2 of Schedule 15, or paragraph 9(2) or (3) of Schedule 17, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.),]

(b) an assignment to a person who would be qualified to succeed the tenant if the tenant died immediately before the assignment.

(3) Paragraph (1) also applies to a tenancy which is not an introductory tenancy but would be if the tenant, or where the tenancy is a joint tenancy, at least one of the tenants, were occupying or continuing to occupy the dwelling-house as his only or principal home.

**Changes to legislation:**

There are currently no known outstanding effects for the The Housing (Northern Ireland) Order 2003, Section 16.