



# Land Compensation Act 1973

## 1973 CHAPTER 26

### PART III

#### PROVISIONS FOR BENEFIT OF PERSONS DISPLACED FROM LAND

##### *Home loss payments*

#### **[<sup>F2</sup>29A Spouses [<sup>F1</sup>and civil partners ]having statutory rights of occupation.**

- (1) This section applies where, by reason of the entitlement of [<sup>F3</sup>one spouse or civil partner (“A”)] to occupy a dwelling by virtue of an interest or right to which section 29 above applies, [<sup>F4</sup>the other spouse or civil partner (“B”) acquires home rights][<sup>F5</sup>(within the meaning of Part IV of the Family Law Act 1996)] .
- (2) So long as—
  - (a) those [<sup>F6</sup>home rights] continue,
  - (b) B is in occupation of the dwelling and A is not, and
  - (c) B is not, apart from this section, treated as occupying the dwelling by virtue of an interest or right to which that section applies,

B shall be treated for the purposes of that section as occupying the dwelling by virtue of such an interest (but not an owner’s interest within the meaning of section 30 below).
- (3) References in this section to a dwelling include a reference to a substantial part of it.]

#### **Textual Amendments**

- F1** Words in s. 29A heading inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(2\), Sch. 9 para. 17\(4\)](#); S.I. 2005/3175, art. 2(1), Sch. 1
- F2** S. 29A inserted (25.09.1991 subject to the restrictions referred to in S.I. 1991/2067, art. 4) by [Planning and Compensation Act 1991 \(c. 34, SIF 28:1\), s. 69](#) (with s. 84(5)); S.I. 1991/2067, art. 3.
- F3** Words in s. 29A(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(2\), Sch. 9 para. 17\(2\)\(a\)](#); S.I. 2005/3175, art. 2(1), Sch. 1

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**Changes to legislation:** Land Compensation Act 1973, Section 29A is up to date with all changes known to be in force on or before 05 July 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

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- F4** Words in s. 29A(1) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), **Sch. 9 para. 17(2)(b)**; S.I. 2005/3175, art. 2(1), Sch. 1
- F5** Words in s. 29A(2)(a) substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 48(2)** (with Sch. 9 paras. 8, 9, 10); S.I. 1997/1892, **art. 3(1)(b)**
- F6** Words in s. 29A(2)(a) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), s. 263(2), **Sch. 9 para. 17(3)**; S.I. 2005/3175, art. 2(1), Sch. 1

**Changes to legislation:**

Land Compensation Act 1973, Section 29A is up to date with all changes known to be in force on or before 05 July 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act modified by [S.I. 2020/1297 Sch. 5 para. 3](#) (This amendment not applied to legislation.gov.uk. S.I. 2020/1297 was withdrawn following a request from the Department of Transport dated 9th August 2021 which followed the decision of the High Court of Justice to quash this Order in the judgement dated 2nd August 2021 (High Court of Justice — Planning Court — The Queen (on the application of Save Stonehenge World Heritage Site) v. Secretary of State for Transport — Case No. CO/4844/2020))
- Act modified by [S.I. 2021/51 Sch. 6 para. 3](#) (This amendment not applied to legislation.gov.uk. S.I. 2021/51 removed from the website by request from the Department of Transport dated 12th July 2021 which followed the decision of the High Court of Justice to quash these Regulations in the judgement dated 8th July 2021 (High Court of Justice — Planning Court — The Queen (on the application of Mair Bain) v. Secretary of State for Transport — Case No. CO/642/2021).)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- s. 12A(9)(b)(c) substituted for s. 12A(9)(b) by [2002 c. 15 Sch. 8 para. 1\(4\)](#)
- s. 52A(2B) inserted by [2016 c. 22 s. 196\(2\)\(b\)](#)
- s. 52A(2B) words substituted by [2017 c. 20 s. 39](#)