



Planning and Compensation Act 1991

1991 CHAPTER 34

PART III

LAND COMPENSATION, ETC: ENGLAND AND WALES

Home loss payments

69 Home loss payments: spouses having statutory rights of occupation

After section 29 of the Land Compensation Act 1973 there is inserted—

“29A Spouses having statutory rights of occupation.1983 c. 19

- (1) This section applies where, by reason of the entitlement of one spouse (“A”) to occupy a dwelling by virtue of an interest or right to which section 29 above applies, the other spouse (“B”) acquires rights of occupation (within the meaning of the Matrimonial Homes Act 1983).
- (2) So long as—
 - (a) those rights of occupation 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.”