

Status: Point in time view as at 01/10/1997. This version of this provision has been superseded.

Changes to legislation: Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 12 June 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)

SCHEDULES

SCHEDULE 7

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

PART I

GENERAL

Interpretation

- 1 In this Schedule—
- “cohabitant”, except in paragraph 3, includes (where the context requires) former cohabitant;
- “the court” does not include a magistrates’ 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; ^{F1} . . .
 - (d) an assured tenancy or assured agricultural occupancy within the meaning of Part I of the ^{M4}Housing Act 1988; [^{F2}or
 - (e) an introductory tenancy within the meaning of Chapter I of Part V of the Housing Act 1996;
- “spouse”, except in paragraph 2, includes (where the context requires) former spouse; and
- “tenancy” includes sub-tenancy.]

Textual Amendments

F1 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)

Status: Point in time view as at 01/10/1997. This version of this provision has been superseded.

Changes to legislation: Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 12 June 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)

F2 Sch. 7 para. 1(e) and preceding word inserted (12.2.1997) by S.I. 1997/74, art. 2, **Sch. para. 10(b)(i)**

Marginal Citations

M1 1977 c. 42.

M2 1976 c. 80.

M3 1985 c. 68.

M4 1988 c. 50.

Status:

Point in time view as at 01/10/1997. This version of this provision has been superseded.

Changes to legislation:

Family Law Act 1996, Paragraph 1 is up to date with all changes known to be in force on or before 12 June 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.