
WELSH STATUTORY INSTRUMENTS

2022 No. 1166

**The Renting Homes (Wales) Act 2016
(Consequential Amendments) Regulations 2022**

Family Law Act 1996

24.—(1) The Family Law Act 1996(1) is amended as follows.

(2) In section 30(2) (rights concerning home where one spouse or civil partner has no estate, etc.) in subsection (4)(b)—

- (a) after “Chapter 1 of Part 5 of the Housing Act 1996”, for “and”, substitute “;”;
- (b) after “the Prevention of Social Housing Fraud Act 2013”, insert “and the Renting Homes (Wales) Act 2016 (anaw 1)”.

(3) In Schedule 7 (transfer of certain tenancies on divorce etc. or on separation of cohabitants)—

- (a) in paragraph 1(3) (interpretation), in the definition of “a relevant tenancy”—
 - (i) at the end of paragraph (d), omit “or”;
 - (ii) at the end of paragraph (e), insert “or”;
 - (iii) after paragraph (e), insert—
 - “(f) an occupation contract within the meaning of the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7).”;

(b) in paragraph 7(4) (protected, secure or assured tenancy or assured agricultural occupancy)—

- (i) in sub-paragraph (1)—
 - (aa) after “Part 1 of the Housing Act 1988”, for “or”, substitute “;”;
 - (bb) after “Chapter 1 of Part V of the Housing Act 1996”, insert “or an occupation contract within the meaning of the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7)”;
- (ii) after sub-paragraph (6), insert—
 - “(7) If the spouse, civil partner or cohabitant so entitled is a priority successor within the meaning of section 75 of the Renting Homes (Wales) Act 2016 (anaw 1)—
 - (a) the former spouse (or, in the case of judicial separation, the spouse),
 - (b) the former civil partner (or, if a separation order is in force, the civil partner), or

(1) 1996 c. 27.

(2) Section 30 was amended by section 82 of and paragraph 1 of Part 1 of Schedule 9 to the Civil Partnership Act 2004 (c. 33), article 2 of and paragraph 10 of Schedule 1 to the Housing Act 1996 (Consequential Amendments) Order 1997 (S.I. 1997/74) and section 10 of and paragraph 6 of Schedule 1 to the Prevention of Social Housing Fraud Act 2013 (c. 3).

(3) Paragraph 1 of Schedule 7 was amended by section 82 of and paragraph 16 of Part 1 of Schedule 9 to the Civil Partnership Act 2004 (c. 33), section 17(6) of and paragraphs 129 and 145 of Part 1 of Schedule 11 to the Crime and Courts Act 2013 (c. 22) and article 2 of and paragraph 10 of the Schedule to the Housing Act 1996 (Consequential Amendments) Order 1997 (S.I. 1997/74).

(4) Paragraph 7 of Schedule 7 was amended by paragraph 16 of Schedule 9 to the Civil Partnership Act 2004 (c. 33) and article 2 of and paragraph 10 of Schedule 1 to the Housing Act 1996 (Consequential Amendments) Order 1997 (S.I. 1997/74).

(c) the former cohabitant,
of the priority successor is to be deemed also to be a successor within the meaning
of that section.”