



Matrimonial and Family Proceedings Act 1984

1984 CHAPTER 42

PART III

FINANCIAL RELIEF IN ENGLAND AND WALES AFTER OVERSEAS DIVORCE ETC.

Orders for transfer of tenancies

[^{F1}22 Powers of court in relation to certain tenancies of dwelling-houses.

- (1) This section applies if—
 - (a) an application is made by a party to a marriage for an order for financial relief; and
 - (b) one of the parties is entitled, either in his own right or jointly with the other party, to occupy a dwelling-house situated in England or Wales by virtue of a tenancy which is a relevant tenancy within the meaning of Schedule 7 to the Family Law Act 1996 (certain statutory tenancies).
- (2) The court may make in relation to that dwelling-house any order which it could make under Part II of that Schedule [^{F2}if a [^{F3}divorce order, nullity of marriage order or judicial separation order had been made]] in England and Wales in respect of the marriage.
- (3) The provisions of paragraphs 10, 11 and 14(1) in Part III of that Schedule apply in relation to any order under this section as they apply to any order under Part II of that Schedule.]

Textual Amendments

- F1** S. 22 substituted (1.10.1997) by 1996 c. 27, s. 66(1), **Sch. 8 Pt. III para. 52** (with Sch. 9 para. 8-10); S.I. 1997/1892, **art. 3(1)(b)**

Changes to legislation: *Matrimonial and Family Proceedings Act 1984, Section 22 is up to date with all changes known to be in force on or before 11 April 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*

- F2** Words in s. 22(2) substituted (13.5.2014) by Children and Families Act 2014 (c. 6), **ss. 18(7)(a), 139(4)** (with s. 18(6))
- F3** Words in s. 22(2) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 48(3)**; S.I. 2022/283, reg. 2

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Changes and effects yet to be applied to :

- s. 22 substituted (prosp.) by [1996 c. 27 s. 66\(1\)Sch. 8 Pt. 3 para. 52](#)

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

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

- s. 28(1A) words substituted by S.I. 2019/519, Sch. para. 13(4)(b) (as substituted) by [S.I. 2019/1338 reg. 3\(3\)\(e\)\(ii\)](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 40(4A) inserted by [2010 c. 26 Sch. 3 para. 9](#) (This amendment not applied to [legislation.gov.uk](#). Sch. 3 Pt. 2 repealed (4.9.2013) without ever being in force by [2013 c. 22, s. 17\(4\)](#) ; S.I. 2013/2200 art. 2(a))