

---

**Changes to legislation:** Family Law Act 1996, Paragraph 2 is up to date with all changes known to be in force on or before 27 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

---

## SCHEDULES

### SCHEDULE 7

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

##### PART I

##### GENERAL

###### *Cases in which the court may make an order*

- 2 (1) This paragraph applies if one spouse [<sup>F1</sup>or civil partner] is entitled, either in his own right or jointly with the other spouse [<sup>F1</sup>or civil partner], to occupy a dwelling-house by virtue of a relevant tenancy.
- [<sup>F2</sup>(2) The court may make a Part II order—
- [<sup>F3</sup>(a) on making a divorce, nullity of marriage or judicial separation order or at any time after making such an order (whether, in the case of a divorce or nullity of marriage order, before or after the order is made final), or]
  - (b) at any time when it has power to make a property adjustment order under Part 2 of Schedule 5 to the Civil Partnership Act 2004 with respect to the civil partnership.]

##### Textual Amendments

- F1** Words in Sch. 7 para. 2(1) inserted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 82, 263, **Sch. 9 para. 16(3)**; S.I. 2005/3175, **art. 2(1)**, Sch. 1
- F2** Sch. 7 para. 2(2) substituted (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 82, 263, **Sch. 9 para. 16(4)**; S.I. 2005/3175, **art. 2(1)**, Sch. 1
- F3** Sch. 7 para. 2(2)(a) substituted (6.4.2022) by Divorce, Dissolution and Separation Act 2020 (c. 11), s. 8(1)(8), **Sch. para. 54(2)**; S.I. 2022/283, reg. 2

**Changes to legislation:**

Family Law Act 1996, Paragraph 2 is up to date with all changes known to be in force on or before 27 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.

[View outstanding changes](#)

**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. 63(2)(k) inserted by [2021 c. 17 s. 52\(2\)](#)