
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Housing Act 1996 (c. 52) is up to date with all changes known to be in force on or before 14 March 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 8

HOUSING AND TENANCIES

Housing Act 1996 (c. 52)

- 50 (1) Amend section 15 (relevant and exempted disposals) as follows.
- (2) In subsection (5)(b) (meaning of “qualifying person” in the definition of “exempted disposal”), after “the spouse or a former spouse” insert “, or the civil partner or a former civil partner, ”.
- (3) In subsection (6) (disposals in pursuance of certain orders are exempt), after paragraph (d) insert “; or
- (e) Part 2 or 3 of Schedule 5, or paragraph 9 of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders, or orders for the sale of property, in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.)”.
- 51 (1) Amend sections 62 and 140 (meaning of “member of a person’s family” in Part 1 and in Chapter 1 of Part 5) as follows.
- (2) In subsection (1)(a)—
- (a) after “spouse” insert “ or civil partner ”, and
- (b) after “live together as husband and wife” insert “ or as if they were civil partners ”.
- (3) In subsection (2)(a), after “a relationship by marriage” insert “ or civil partnership ”.
- 52 In section 132 (introductory tenancies: cases where tenant is successor), after subsection (2) insert—
- “(2A) A tenant to whom the tenancy was assigned in pursuance of an order under Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.) is a successor only if the other civil partner was a successor.”
- 53 (1) Amend section 133 (succession to introductory tenancy) as follows.
- (2) In subsection (2)(a) (spouse of deceased tenant is preferred successor), after “spouse” insert “ or civil partner ”.
- (3) In subsection (3)(a) (tenancy ceases to be introductory on vesting otherwise than in pursuance of certain orders), after “parents” in sub-paragraph (iii) insert “, or
- (iv) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.)”.

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- 54 In section 134(2)(a) (introductory tenancy may not be assigned except in pursuance of certain orders), after “parents)” in sub-paragraph (iii) insert “, or
(iv) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.)”.
- 55 In section 143H(5)(a) (two or more successors to demoted tenancy), for “spouse or (if the tenant has no spouse)” substitute “ spouse or civil partner or (if the tenant has neither spouse nor civil partner) ”.
- 56 In section 143I(3) (tenancy does not cease to be demoted tenancy if vested pursuant to certain orders), after paragraph (c) insert—
“(d) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.)”.
- 57 For paragraphs (a) and (b) of section 143J(5) (successor by assignment to secure tenancy terminated by demotion order) substitute—
“(a) the tenancy was assigned—
(i) in proceedings under section 24 of the Matrimonial Causes Act 1973 (property adjustment orders in connection with matrimonial proceedings) or section 17(1) of the Matrimonial and Family Proceedings Act 1984 (property adjustment orders after overseas divorce, etc.), or
(ii) in proceedings under Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.),
(b) where the tenancy was assigned as mentioned in paragraph (a)(i), neither he nor the other party to the marriage was a successor, and
(c) where the tenancy was assigned as mentioned in paragraph (a)(ii), neither he nor the other civil partner was a successor.”
- 58 In section 143K(2) (demoted tenancy may be assigned only in pursuance of certain orders), after paragraph (c) insert—
“(d) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.)”.
- 59 (1) Amend section 143P (meaning of “member of another’s family”) as follows.
(2) In subsection (1)(a), after “spouse” insert “ or civil partner ”.
(3) In subsection (3)(a), after “marriage” insert “ or civil partnership ”.
- 60 In section 160 (cases where provisions about allocations do not apply), in each of subsections (2)(e) and (3)(d) (cases where secure or introductory tenancy vests etc. in pursuance of certain orders), after sub-paragraph (iii) insert “, or
(iv) Part 2 of Schedule 5, or paragraph 9(2) or (3) of Schedule 7, to the Civil Partnership Act 2004 (property adjustment

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orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc.).”

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Textual Amendments

F1 Sch. 8 para. 61 omitted (5.7.2021) by virtue of Domestic Abuse Act 2021 (c. 17), ss. 78(9)(a), 90(6); S.I. 2021/797, reg. 2(2) (with reg. 4(1))

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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. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)