

---

**Changes to legislation:** Civil Partnership Act 2004, Paragraph 2 is up to date with all changes known to be in force on or before 20 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 9

#### FAMILY HOMES AND DOMESTIC VIOLENCE

##### PART 1

###### AMENDMENTS OF THE FAMILY LAW ACT 1996 (C. 27)

- 2 (1) Amend section 31 (effect of matrimonial home rights as charge on dwelling-house) as follows.
- (2) In subsection (1) for “marriage, one spouse” substitute “ marriage or civil partnership, A ”.
- (3) In subsection (2) for “The other spouse’s matrimonial home rights” substitute “ B’s home rights ”.
- (4) In subsection (3)—
- (a) in paragraph (a), for “the spouse so entitled” substitute “ A ”, and
  - (b) in paragraph (b), after “marriage” insert “ or of the formation of the civil partnership ”.
- (5) In subsection (4)—
- (a) for “a spouse’s matrimonial home rights” substitute “ B’s home rights ”,
  - (b) for “the other spouse” substitute “ A ”, and
  - (c) for “either of the spouses” substitute “ A or B ”.
- (6) In subsection (5) for “the other spouse” substitute “ A ”.
- (7) In subsection (7) for “the spouses” substitute “ A and B ”.
- (8) In subsection (8)—
- (a) for “a spouse’s matrimonial home rights” substitute “ B’s home rights ”,
  - (b) in paragraph (a), for “the other spouse” substitute “ A ”, and
  - (c) in paragraph (b), after “marriage” insert “ or civil partnership ”.
- (9) In subsection (9)—
- (a) in paragraph (a), for “a spouse’s matrimonial home rights” substitute “ B’s home rights ”, and
  - (b) for “the other spouse” (in both places) substitute “ A ”.
- (10) In subsection (10)—
- (a) for “a spouse” and for “that spouse” substitute “ A ”, and
  - (b) in paragraph (b), for “a spouse’s matrimonial home rights” substitute “ B’s home rights ”.
- (11) For subsection (12)(a) substitute—

---

**Changes to legislation:** Civil Partnership Act 2004, Paragraph 2 is up to date with all changes known to be in force on or before 20 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](#)

---

“(a) B’s home rights are a charge on the estate of A or of trustees of A, and”.

(12) In the heading to section 31, for “matrimonial home rights” substitute “home rights”.

**Changes to legislation:**

Civil Partnership Act 2004, Paragraph 2 is up to date with all changes known to be in force on or before 20 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.

[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. 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\(2\)](#)