

SCHEDULE 1
AMENDMENTS OF THE CIVIL PARTNERSHIP ACT 2004

11 After section 124 there shall be inserted—

“Special destinations: revocation on dissolution or annulment

124A Special destination: revocation on dissolution or annulment

- (1) Subsections (2) and (3) apply where—
 - (a) heritable property is held in the name of—
 - (i) a person (“A”) and A’s civil partner (“B”) and the survivor of them,
 - (ii) A, B and another person and the survivor or survivors of them,
 - (iii) A with a special destination on A’s death, in favour of B,
 - (b) A and B’s civil partnership is terminated by dissolution or annulment, and
 - (c) after the dissolution or annulment A dies.
- (2) In relation to the succession to A’s heritable property (or part of it) under the destination, B shall be deemed to have failed to survive A.
- (3) If a person has in good faith and for value (whether by purchase or otherwise) acquired title to the heritable property, the title so acquired shall not be challengeable on the ground that, by virtue of subsection (2), the property falls to the estate of A.
- (4) Subsection (2) shall not apply if the destination specifies that B is to take under the destination despite the termination of A and B’s civil partnership by dissolution or annulment.”.