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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 115**

**CIVIL PARTNERSHIP**

**The Civil Partnership Family Homes (Form of Consent) (Scotland) Regulations 2006**

<i>Made</i>	- - - -	<i>7th March 2006</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th March 2006</i>
<i>Coming into force</i>	- -	<i>30th March 2006</i>

The Scottish Ministers, in exercise of the powers conferred by sections 106(3)(a)(i) and 258(2) of the Civil Partnership Act 2004(1) hereby make the following Regulations:

**Citation and commencement**

1. These Regulations may be cited as the Civil Partnership Family Homes (Form of Consent) (Scotland) Regulations 2006 and shall come into force on 30th March 2006.

**Consent of non-entitled partner**

2. The consent of the non entitled partner to any dealing of the entitled partner relating to a family home shall be—

- (a) where the consent is given in a deed effecting the dealing, in or as nearly as may be in the form set out in Schedule 1 to these Regulations; or
- (b) where the consent is given in a separate document, in or as nearly as may be in the form set out in Schedule 2 to these Regulations.

St Andrew's House,  
Edinburgh  
7th March 2006

*HUGH HENRY*  
Authorised to sign by the Scottish Ministers

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 2(a)

CONSENT TO BE INSERTED IN THE DEED EFFECTING THE DEALING  
(THE FOLLOWING WORDS SHOULD BE INSERTED WHERE APPROPRIATE IN THE DEED. THE CONSENTER SHOULD SIGN AS A PARTY TO THE DEED)

...with the consent of A. B. (designation), civil partner of the said C. D. (designation), for the purposes of the Civil Partnership Act 2004...

SCHEDULE 2

Regulation 2(b)

CONSENT IN A SEPARATE DOCUMENT

I, A. B. (designation), civil partner of C. D (designation), hereby consent for the purposes of the Civil Partnership Act 2004 to the undernoted dealing of the said C. D. relating to (here describe the family home or the part of it to which the dealing relates).

Dealing referred to:–

(here describe the dealing)

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**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations prescribe the forms of consent to be used where a civil partner who has occupancy rights in a family home by virtue of the Civil Partnership Act 2004 is consenting to a dealing of the other civil partner relating to that home. These forms are also be used where both civil partners are entitled to occupy the family home and one civil partner is consenting to a dealing of the other civil partner relating to that home.

Schedule 1 provides the form where the consent is inserted in the document effecting the dealing, and Schedule 2 provides the form where the consent is in a separate document.