



# Inheritance (Provision for Family and Dependants) Act 1975

## 1975 CHAPTER 63

*Special provisions relating to cases of divorce, separation etc.*

### **[<sup>F1</sup>15ZA Restriction imposed in proceedings for the dissolution etc. of a civil partnership on application under this Act**

- (1) On making a dissolution order, nullity order, separation order or presumption of death order under Chapter 2 of Part 2 of the Civil Partnership Act 2004, or at any time after making such an order, the court, if it considers it just to do so, may, on the application of either of the civil partners, order that the other civil partner shall not on the death of the applicant be entitled to apply for an order under section 2 of this Act.
- (2) In subsection (1) above “ the court ” means the High Court or [<sup>F2</sup>the family court] .
- (3) In the case of a dissolution order, nullity order or presumption of death order (“ the main order ”) an order may be made under subsection (1) above before (as well as after) the main order is made final, but if made before the main order is made final it shall not take effect unless the main order is made final.
- (4) Where an order under subsection (1) above made in connection with a dissolution order, nullity order or presumption of death order has come into force with respect to a civil partner, then, on the death of the other civil partner, the court shall not entertain any application for an order under section 2 of this Act made by the surviving civil partner.
- (5) Where an order under subsection (1) above made in connection with a separation order has come into force with respect to a civil partner, then, if the other civil partner dies while the separation order is in force and the separation is continuing, the court shall not entertain any application for an order under section 2 of this Act made by the surviving civil partner.]

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**Changes to legislation:** *Inheritance (Provision for Family and Dependants) Act 1975, Section 15ZA is up to date with all changes known to be in force on or before 12 July 2023. 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*

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#### Textual Amendments

- F1** S. 15ZA inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), ss. 71, 263(2), [Sch. 4 para. 21](#); [S.I. 2005/3175](#), [art. 2\(1\)](#), Sch. 1
- F2** Words in s. 15ZA(2) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 10 para. 36\(3\)](#); [S.I. 2014/954](#), [art. 2\(d\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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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. 25 (defns. of "former wife" and "former husband") amended (prosp.) by [1996 c. 27 s. 66\(1\)Sch. 8 Pt. 1 para. 27\(8\)](#)