

EXPLANATORY NOTES

CIVIL PARTNERSHIP ACT 2004

INTRODUCTION

SUMMARY

BACKGROUND

THE ACT

COMMENTARY ON SECTIONS

PART 1 - INTRODUCTION

Section 1: Civil Partnership

PART 2 – CIVIL PARTNERSHIP: ENGLAND AND WALES INTRODUCTION

Chapter 1 – Registration

Section 2: Formation of civil partnership by registration

Section 3: Eligibility

Section 4: Parental consent where proposed civil partner under 18

Section 5: Types of pre-registration procedure

Section 6: Place of registration

Section 7: The civil partnership document

Section 8: Notice of proposed civil partnership and declaration

Section 9: Power to require evidence of name

Section 10: Proposed civil partnerships to be publicised

Section 11: Meaning of the “waiting period”

Section 12: Power to shorten the waiting period

Section 13: Objection to proposed civil partnership

Section 14: Issue of civil partnership schedule

Section 15: Appeal against refusal to issue civil partnership schedule

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 16: Frivolous objections and representations: liability for costs

Section 17: Period during which registration may take place

Section 18: House-bound persons

Section 19: Detained persons

Section 20: Modified procedures for certain non-residents

Section 21: Notice of proposed civil partnership

Section 22: Evidence to be produced

Section 23: Application to be reported to the Registrar General

Section 24: Objection to issue of Registrar General's licence

Section 25: Issue of Registrar General's licence

Section 26: Frivolous objections: liability for costs

Section 27: Period during which registration may take place

Section 28: Registration authorities

Section 29: Civil partnership registrars

Section 30: The Registrar General and the register

Section 31: Offences relating to civil partnership schedule

Section 32: Offences relating to Registrar General's licence

Section 33: Offences relating to the recording of civil partnerships

Section 34: Fees

Section 35: Power to assimilate provisions relating to civil registration

Section 36: Regulations and orders

Chapter 2 – Dissolution, Nullity and Other Proceedings

Section 37: Powers to make orders and effect of orders

Section 38: The period before conditional orders may be made final

Section 39: Intervention of the Queen's Proctor

Section 40: Proceedings before order has been made final

Section 41: Time bar on applications for dissolution orders

Section 42: Attempts at reconciliation of civil partners

Section 43: Consideration by the court of certain agreements or arrangements

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 44: Dissolution of civil partnership which has broken down irretrievably

Section 45: Supplemental provisions as to facts raising presumption of breakdown

Section 46: Dissolution order not precluded by previous separation order

Section 47: Refusal of dissolution in 5 year separation cases on ground of grave hardship

Section 48: Proceedings before order made final: protection for respondent in separation cases

Section 49: Grounds on which civil partnership is void

Section 50: Grounds on which civil partnership is voidable

Section 51: Bars to relief where civil partnership is voidable

Section 52: Proof of certain matters not necessary to validity of civil partnership

Section 53: Power to validate civil partnership

Section 54: Validity of civil partnership registered outside England and Wales

Section 55: Presumption of death orders

Section 56: Separation orders

Section 57: Effect of separation order

Section 58: Declarations

Section 59: General provisions as to making and effect of declarations

Section 60: The Attorney General and proceedings for declarations

Section 61: Supplementary provisions as to declarations

Section 62: Relief for respondent in dissolution proceedings

Section 63: Restrictions on making of orders affecting children

Section 64: Parties to proceedings under this chapter

Chapter 3 – Property and financial arrangements

Section 65: Contribution by civil partner to property improvement

Section 66: Disputes between civil partners about property

Section 67: Applications under section 66 where property not in possession

Section 68: Applications under section 66 by former civil partners

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 69: Actions in tort between civil partners

Section 70: Assurance policy by civil partner for benefit of other civil partner

Section 71: Wills, administration of estates and family provision

Section 72: Financial relief for civil partners and children of the family

Chapter 4 – Civil partnership agreements

Section 73: Civil partnership agreements unenforceable

Section 74: Property where civil partnership agreement is terminated

Chapter 5 – Children

Section 75: Parental responsibility, children of the family and relatives

Section 76: Guardianship

Section 77: Entitlement to apply for a residence or contact order

Section 78: Financial provision for children

Section 79: Adoption

Chapter 6 – Miscellaneous

Section 80: False statements with reference to civil partnerships

Section 81: Housing and tenancies

Section 82: Family homes and domestic violence

Section 83: Fatal accidents claims

Section 84: Evidence

PART 3 - CIVIL PARTNERSHIPS: SCOTLAND INTRODUCTION

Chapter 1 - Formation and eligibility

Section 85: Formation of civil partnership by registration

Section 86: Eligibility

Chapter 2 - Registration

Section 87: Appointment of authorised registrars

Section 88: Notice of proposed civil partnership

Section 89: Civil partnership notice book

Section 90: Publicisation

Section 91: Early registration

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 92: Objections to registration

Section 93: Place of registration

Section 94: The civil partnership schedule

Section 95: Further provision as to registration

Section 96: Civil partnership with former spouse

Section 97: Certificates of no impediment for part 2 purposes

Section 98: Application of certain sections of 1965 Act to civil partnership register

Section 99: Correction of errors in civil partnership register

Section 100: Offences

Chapter 3 – Occupancy Rights and Tenancies

Section 101: Occupancy rights

Section 102: Occupancy: subsidiary and consequential rights

Section 103: Regulation by court of rights of occupancy of family home

Section 104: Exclusion orders

Section 105: Duration of orders under sections 103 and 104

Section 106: Continued exercise of occupancy rights after dealing

Section 107: Dispensation with civil partner's consent to dealing

Section 108: Interests of heritable creditors

Section 109: Provisions where both civil partners have title

Section 110: Rights of occupancy in relation to division and sale

Section 111: Adjudication

Section 112: Transfer of tenancy

Chapter 4 - Interdicts

Section 113: Civil partners: competency of interdict

Section 114: Attachment of powers of arrest to relevant interdicts

Section 115: Police powers after arrest

Section 116: Procedure after arrest

Chapter 5 – Dissolution, Separation and Nullity

Section 117: Dissolution

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 118: Encouragement of reconciliation

Section 119: Effect of resumption of cohabitation in certain actions

Section 120: Separation

Section 121: Dissolution following on decree of separation

Section 122: Registration of dissolution of civil partnership

Section 123: Nullity

Section 124: Validity of civil partnerships registered outside Scotland

Section 125: Financial provision after overseas dissolution or annulment

Chapter 6 – Miscellaneous and Interpretation

Section 126: Regulations

Section 127: Attachment

Section 128 - Promise of agreement to enter into civil partnership

Section 129: Lord Advocate as party to action for nullity or dissolution of civil partnership

Section 130: Civil partner of accused a competent witness

Section 131: Succession: legal rights arising by virtue of civil partnership

Section 132: Assurance policies: Scotland

Section 133: Council Tax: liability of civil partners

Section 134: General provisions as to fees

Section 135: Interpretation of this Part

Section 136: The expression “relative” in the 1965 Act

PART 4 – CIVIL PARTNERSHIP: NORTHERN IRELAND INTRODUCTION

Chapter 1 - Registration

Section 137: Formation of civil partnership by registration

Section 138: Eligibility

Section 139: Notice of proposed civil partnership

Section 140: Civil partnership notice book and list of intended civil partnerships

Section 141: Power to require evidence of name

Section 142: Objections

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 143: Civil partnership schedule

Section 144: Place of registration

Section 145: Parental consent where proposed civil partner under 18

Section 146: Validity of registration

Section 147: Corrections and cancellations

Section 148: Interpreters

Section 149: Detained persons

Section 150: Certificates of no impediment for Part 2 purposes

Section 151: Registration districts and registration authorities

Section 152: Registrars and other staff

Section 153: Records and documents to be sent to Registrar General

Section 154: Annual report

Section 155: Searches

Section 156: Proof of civil partnership for purposes of certain statutory provisions

Section 157: Fees

Section 158: Offences

Section 159: Regulations

Section 160: Interpretation

Chapter 2 – Dissolution, Nullity and Other Proceedings

Section 161: Powers to make orders and effect of orders

Section 162: The period before conditional orders may be made final

Section 163: Intervention by the Crown Solicitor

Section 164: Proceedings before order has been made final

Section 165: Time bar on applications for dissolution orders

Section 166: Attempts at reconciliation of civil partners

Section 167: Consideration by the court of certain agreements or arrangements

Section 168: Dissolution of civil partnership which has broken down irretrievably

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 169: Supplemental provisions as to facts raising presumption of breakdown

Section 170: Dissolution order not precluded by previous separation order

Section 171: Refusal of dissolution in 5 year separation cases on ground of grave hardship

Section 172: Proceedings before order made final: protection for respondent in separation cases

Section 173: Grounds on which civil partnership is void

Section 174: Grounds on which civil partnership is voidable

Section 175: Bars to relief where civil partnership is voidable

Section 176: Proof of certain matters not necessary to validity of civil partnership

Section 177: Validity of civil partnerships registered outside Northern Ireland

Section 178: Presumption of death orders

Section 179: Separation orders

Section 180: Effect of separation order

Section 181: Declarations

Section 182: General provisions as to making and effect of declarations

Section 183: The Attorney General and proceedings for declarations

Section 184: Supplementary provisions as to declarations

Section 185: Relief for respondent in dissolution proceedings

Section 186: Restrictions on making of orders affecting children

Section 187: Parties to proceedings under this chapter

Section 188: The court

Section 189: Appeals

Section 190: Transfer of proceedings

Chapter 3 – Property and Financial Arrangements

Section 191: Disputes between civil partners about property

Section 192: Applications under section 191 where property not in possession

Section 193: Applications under section 191 by former civil partners

Section 194: Assurance policy by civil partner for benefit of other civil partner

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 195: Wills, administration of estates and family provision

Section 196: Financial relief for civil partners and children of the family

Chapter 4 – Civil Partnership Agreements

Section 197: Civil partnership agreements unenforceable

Section 198: Property where civil partnership agreement is terminated

Chapter 5 - Children

Section 199: Parental responsibility, children of the family and relatives

Section 200: Guardianship

Section 201: Entitlement to apply for a residence or contact order

Section 202: Financial provision for children

Section 203: Adoption

Chapter 6 – Miscellaneous

Section 204: False statements with reference to civil partnerships

Section 205: Housing and tenancies

Section 206: Family homes and domestic violence

Section 207: Fatal accidents claims

Section 208: Evidence

Section 209: Restrictions on publicity of reports of proceedings

PART 5 – CIVIL PARTNERSHIPS FORMED OR DISSOLVED ABROAD ETC. INTRODUCTION

Chapter 1 – Registration outside UK under Order in Council

Section 210: Registration at British consulates

Section 211: Registration by armed forces personnel

Chapter 2 – Overseas relationships treated as civil partnerships

Section 212: Meaning of “overseas relationship”

Section 213: Specified relationships

Section 214: The general conditions

Section 215: Overseas relationships treated as civil partnerships: the general rule

Section 216: The same-sex requirement

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 217: Person domiciled in a part of the United Kingdom

Section 218: The public policy exception

Chapter 3 - Dissolution : jurisdiction and recognition

Section 219: Power to make provision corresponding to EC Regulation 2201/2003

Section 220: Meaning of “the court”

Section 221: Proceedings for dissolution, separation or nullity order

Section 222: Proceedings for presumption of death order

Section 223: Proceedings for dissolution, nullity or separation order: supplementary

Section 224: Applications for declarations as to validity

Section 225: Jurisdiction of Scottish courts

Section 226: Sisting of proceedings

Section 227: Scottish ancillary and collateral orders

Section 228: Meaning of “the court”

Section 229: Proceedings for dissolution, separation or nullity order

Section 230: Proceedings for presumption of death order

Section 231: Proceedings for dissolution, nullity or separation order: supplementary

Section 232: Applications for declarations as to validity

Section 233: Effect of dissolution, annulment or separation obtained in the UK

Section 234: Recognition in the UK of overseas dissolution, annulment or separation

Section 235: Grounds for recognition

Section 236: Refusal of recognition

Section 237: Supplementary provisions relating to recognition of dissolution

Section 238: Non-recognition elsewhere of dissolution or annulment

Chapter 4 – Miscellaneous and supplementary

Section 239: Commanding officers’ certificates for part 2 purposes

Section 240: Certificates of no impediment to overseas relationships

These notes refer to the Civil Partnership Act 2004 (c.33)

Section 241: Transmission of certificates of registration of overseas relationships

Section 242: Power to make provision relating to certain Commonwealth forces

Section 243: Fees

Section 244: Orders in Council: supplementary

Section 245: Interpretation

PART 6 – RELATIONSHIPS ARISING THROUGH CIVIL PARTNERSHIPS INTRODUCTION

Section 246: Interpretation of statutory references to stepchildren

Section 247: Provisions to which section 246 applies: Acts of Parliament

Section 248: Provisions to which section 246 applies: Northern Ireland

PART 7 – MISCELLANEOUS

Section 249: Immigration control and formation of civil partnerships

Section 250: Gender Recognition where applicant a civil partner

Section 251: Discrimination against civil partners in employment field

Section 252: Discrimination against civil partners in employment field: Northern Ireland

Section 253: Civil partners to have an unlimited insurable interest in each other

Section 254: Social security, child support and tax credits

Section 255: Power to amend enactments relating to pensions

PART 8 – SUPPLEMENTARY

Section 258: Regulations and orders

Section 259: Power to make further provision in connection with civil partnership

Section 260: Community obligations and civil partners

Section 262: Extent

Section 263: Commencement

Schedules

Schedule 1 – Prohibited degrees of relationship: England and Wales

Schedule 2 – Civil partnerships of persons under 18: England and Wales

Schedule 3 – Registration by former spouses one of whom has changed sex

These notes refer to the Civil Partnership Act 2004 (c.33)

Schedule 4 – Wills, the administration of estates and family provision

Schedule 5 – Financial relief in the High Court or a county court

PART 1 - FINANCIAL PROVISION IN CONNECTION WITH DISSOLUTION, NULLITY OR SEPARATION

PART 2 - PROPERTY ADJUSTMENT ON OR AFTER DISSOLUTION, NULLITY OR SEPARATION.

PART 3 - SALE OF PROPERTY ORDERS

PART 4 - PENSION SHARING ORDERS ON OR AFTER DISSOLUTION OR NULLITY ORDER

PART 5 - MATTERS TO WHICH THE COURT IS TO HAVE REGARD UNDER PARTS 1 TO 4

PART 6 - MAKING OF PART 1 ORDERS HAVING REGARD TO PENSION BENEFITS

PART 7 – PENSION PROTECTION FUND COMPENSATION

PART 8 - MAINTENANCE PENDING OUTCOME OF DISSOLUTION, NULLITY OR SEPARATION PROCEEDINGS

PART 9 - FAILURE TO MAINTAIN: FINANCIAL PROVISION (AND INTERIM ORDERS)

PART 10 - COMMENCEMENT OF CERTAIN PROCEEDINGS AND DURATION OF CERTAIN ORDERS

PART 11 - VARIATION, DISCHARGE OF CERTAIN ORDERS FOR FINANCIAL RELIEF

PART 12 - ARREARS AND REPAYMENTS

PART 13 - CONSENT ORDERS AND MAINTENANCE AGREEMENTS

PART 14 - MISCELLANEOUS AND SUPPLEMENTARY

Schedule 6 - Financial relief in magistrates' courts

PART 1 - FAILURE TO MAINTAIN : FINANCIAL PROVISION

PART 2 - ORDERS FOR AGREED FINANCIAL PROVISION

PART 3 - ORDERS OF COURT WHERE CIVIL PARTNERS ARE LIVING APART BY AGREEMENT

PART 4 - INTERIM ORDERS

PART 5 - COMMENCEMENT AND DURATION OF ORDERS UNDER PARTS 1, 2 AND 3

PART 6 - VARIATION OF ORDERS

These notes refer to the Civil Partnership Act 2004 (c.33)

PART 7 - ARREARS AND REPAYMENTS

PART 8 - SUPPLEMENTARY

Schedule 7 - Financial relief in England and Wales after overseas dissolution of a civil partnership

PART 1 FINANCIAL RELIEF

PART 2 - STEPS TO PREVENT AVOIDANCE PRIOR TO APPLICATION FOR LEAVE UNDER PARAGRAPH 4

PART 3 - SUPPLEMENTARY

Schedule 8 – Housing and tenancies

Schedule 9 - Family homes and domestic violence

Schedule 10 – Forbidden degrees of relationship: Scotland

Schedule 11 – Financial provision in Scotland after overseas proceedings

PART 1- INTRODUCTORY

PART 2- CIRCUMSTANCES IN WHICH COURT MAY ENTERTAIN APPLICATION FOR FINANCIAL PROVISION

PART 3 - DISPOSAL OF APPLICATIONS

PART 4 - THE EXPRESSION “ORDER FOR FINANCIAL PROVISION”

Schedule 12 – Prohibited degrees of relationship: Northern Ireland

Schedule 13 – Civil partnerships of persons under 18: Northern Ireland

Schedule 14: Wills, administration of estates and family provision: Northern Ireland

Schedule 15: Financial relief in the High Court or a county court : Northern Ireland

PART 1 - FINANCIAL PROVISION IN CONNECTION WITH DISSOLUTION, NULLITY OR SEPARATION

PART 2 - PROPERTY ADJUSTMENT ON OR AFTER DISSOLUTION, NULLITY OR SEPARATION

PART 3 - PENSION SHARING ORDERS ON OR AFTER DISSOLUTION OR NULLITY ORDER

PART 4 - MATTERS TO WHICH THE COURT IS TO HAVE REGARD UNDER PARTS 1 TO 3

PART 5 - MAKING OF PART 1 ORDERS HAVING REGARD TO PENSION BENEFITS

PART 6 – PENSION PROTECTION FUND COMPENSATION

These notes refer to the Civil Partnership Act 2004 (c.33)

PART 7 - MAINTENANCE PENDING OUTCOME OF DISSOLUTION, NULLITY OR SEPARATION PROCEEDINGS

PART 8 - FAILURE TO MAINTAIN: FINANCIAL PROVISION (AND INTERIM ORDERS)

PART 9 - COMMENCEMENT OF CERTAIN PROCEEDINGS AND DURATION OF CERTAIN ORDERS

PART 10 - VARIATION, DISCHARGE OF CERTAIN ORDERS FOR FINANCIAL RELIEF

PART 11 - ARREARS AND REPAYMENTS

PART 12 - CONSENT ORDERS AND MAINTENANCE AGREEMENTS

PART 13 - MISCELLANEOUS AND SUPPLEMENTARY

Schedule 16: Financial relief in court of summary jurisdiction : Northern Ireland

PART 1 - FAILURE TO MAINTAIN : FINANCIAL PROVISION

PART 2 - ORDERS FOR AGREED FINANCIAL PROVISION

PART 3 - ORDERS OF COURT WHERE CIVIL PARTNERS LIVING APART BY AGREEMENT

PART 4 - INTERIM ORDERS

PART 5 - COMMENCEMENT AND DURATION OF ORDERS UNDER PARTS 1, 2 AND 3

PART 6 - VARIATION OF ORDERS

PART 7 - ARREARS AND REPAYMENTS

PART 8 - SUPPLEMENTARY

Schedule 17: Financial relief in Northern Ireland after overseas dissolution of a civil partnership

PART 1 - FINANCIAL RELIEF

PART 2 - STEPS TO PREVENT AVOIDANCE PRIOR TO APPLICATION FOR LEAVE UNDER PARAGRAPH 4

PART 3 - SUPPLEMENTARY

Schedule 18: Housing and tenancies: Northern Ireland

Schedule 19: Family homes and domestic violence: Northern Ireland

PART 1 – AMENDMENTS OF THE FAMILY HOMES AND DOMESTIC VIOLENCE (NORTHERN IRELAND) ORDER 1998 (S.I. 1998/1071 (N.I. 6))

PART 2 – CONSEQUENTIAL AMENDMENTS

These notes refer to the Civil Partnership Act 2004 (c.33)

PART 3 – TRANSITIONAL ARRANGEMENTS

Schedule 20 – Meaning of overseas relationship: specified relationships

Schedule 21 - References to step-children, in Acts of Parliament

Schedule 22 - References to step-children, in Northern Ireland legislation

Schedule 23 – Immigration control and formation of civil partnerships

PART 1 - INTRODUCTION

PART 2 – ENGLAND AND WALES

PART 3 – SCOTLAND

PART 4 – NORTHERN IRELAND

Schedule 24 – Social security, child support and tax credits

PART 1 – AMENDMENTS OF THE CHILD SUPPORT ACT 1991 (C. 48) AND PART 8 – CHILD SUPPORT ACT 1995 (C. 34).

PART 2 – AMENDMENTS OF THE CHILD SUPPORT (NORTHERN IRELAND) ORDER 1991 (S.I. 1991/2628 (N.I. 23))

PART 3 – AMENDMENTS OF THE SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992 (C. 4)

PART 4 – AMENDMENTS TO THE SOCIAL SECURITY ADMINISTRATION ACT 1992 (C. 5)

PART 5 - AMENDMENTS TO THE SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS (NORTHERN IRELAND) ACT 1992 (C. 7)

PART 6 – AMENDMENTS OF THE SOCIAL SECURITY ADMINISTRATION (NORTHERN IRELAND) ACT 1992 (C. 8)

PART 7 – AMENDMENTS OF THE JOBSEEKERS ACT 1995 (C. 18)

PART 8 – AMENDMENTS OF THE CHILD SUPPORT ACT 1995 (C. 34)

PART 9 – AMENDMENTS OF THE CHILD SUPPORT (NORTHERN IRELAND) ORDER 1995 (S.I. 1995 / 2702 (N.I. 13))

PART 10 – AMENDMENTS OF THE JOBSEEKERS (NORTHERN IRELAND) ORDER 1995 (S.I. 1995/2705 (N.I. 15))

PART 11 – AMENDMENTS OF THE SOCIAL SECURITY ACT 1998 (C. 14)

PART 12 - AMENDMENTS OF THE SOCIAL SECURITY (NORTHERN IRELAND) ORDER 1998 (S.I. 998/1506 (N.I. 10))

PART 13 – AMENDMENTS OF THE STATE PENSION CREDIT ACT 2002 (C. 16)

These notes refer to the Civil Partnership Act 2004 (c.33)

PART 14 - AMENDMENTS OF THE TAX CREDITS ACT 2002 (C. 21)

**PART 15 – AMENDMENTS OF THE STATE PENSION CREDIT ACT
(NORTHERN IRELAND) 2002 (C. 14 (N.I.))**

Schedule 25 – Amendment of certain enactments relating to pensions

Paragraph 1 – Fire Services Act 1947 (c. 41)

Paragraph 2 - House of Commons Members' Fund Act 1948 (c. 36)

Paragraph 3 - Parliamentary and Other Pensions Act 1972 (c. 48)

Paragraph 4 - Theatres Trust Act 1976 (c. 27)

Schedule 26 – Amendment of certain enactments relating to the armed forces

Schedule 27 - Minor and consequential amendments

Paragraph 1 - Explosive Substances Act 1883 (c. 3)

Paragraph 2 - Partnership Act 1890 (c. 39)

Paragraph 3 - Law of Distress Amendment Act 1908 (c. 53)

Paragraph 4 - Census Act 1920 (c. 41)

Paragraphs 5 and 6 - Trustee Act 1925 (c. 19)

Paragraph 7 – Law of Property Act 1925 (c. 20)

Paragraph 8 - Judicial Proceedings (Regulation of Reports) Act 1926 (c. 61)

Paragraph 9 – Population (Statistics) Act 1938 (c. 12)

Paragraph 10 – Landlord and Tenant (Requisitioned Land) Act 1942 (c. 13)

Paragraph 11 – Limitation (Enemies and War Prisoners) Act 1945 (c. 16)

Paragraph 12 - Statistics of Trade Act 1947 (c. 39)

Paragraphs 13 to 17 - Marriage Act 1949 (c. 76)

Paragraph 18 - Maintenance Orders Act 1950 (c. 37)

Paragraph 19 – Births and Deaths Registration Act 1953 (c. 20)

Paragraph 20 – Pharmacy Act 1954 (c. 61)

Paragraph 21 - Registration of Births, Deaths and Marriages (Special Provisions) Act 1957 (c. 58)

Paragraph 22 – Maintenance Orders Act 1958 (c. 39)

Paragraph 23 - Offices, Shops and Railway Premises Act 1963 (c. 41)

Paragraphs 24 and 25 - Industrial and Provident Societies Act 1965 (c. 12)

These notes refer to the Civil Partnership Act 2004 (c.33)

Paragraph 26 - Criminal Appeal Act 1968 (c. 19)

Paragraphs 27 and 28 - Theft Act 1968 (c. 60)

Paragraph 29 – Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)

Paragraph 30 - Civil Evidence Act 1968 (c. 64)

Paragraph 31 - Gaming Act 1968 (c. 65)

Paragraph 32 - Medicines Act 1968 (c. 67)

Paragraph 33 - The Employers' Liability (Compulsory Insurance) Act 1969 (c.57)

Paragraph 34 - Administration of Justice Act 1970 (c. 31)

Paragraph 35 - Attachment of Earnings Act 1971 (c. 32)

Paragraph 36 - Criminal Damage Act 1971 (c. 48)

Paragraph 37 - Immigration Act 1971 (c. 77)

Paragraphs 38 and 39 - Local Government Act 1972 (c. 70)

Paragraphs 40 to 46 - Matrimonial Causes Act 1973 (c. 18)

Paragraph 47 - Fair Trading Act 1973 (c. 41)

Paragraph 48 - Slaughterhouses Act 1974 (c. 3)

Paragraph 49 - Health and Safety at Work Act 1974 (c. 37)

Paragraphs 50 and 51 - Consumer Credit Act 1974 (c. 39)

Paragraph 52 - Friendly Societies Act 1974 (c. 46)

Paragraph 53 - Rehabilitation of Offenders Act 1974 (c. 53)

Paragraph 54 – Sex Discrimination Act 1975 (c. 65)

Paragraph 55 – Race Relations Act 1976 (c. 74)

Paragraph 56 - Criminal Law Act 1977 (c. 45)

Paragraphs 57 and 58 - Domestic Proceedings and Magistrates Courts Act 1978 (c. 22)

Paragraph 59 – Interpretation Act 1978 (c. 30)

Paragraph 60 - Protection of Children Act 1978 (c. 37)

Paragraph 61 – Credit Unions Act 1979 (c. 34)

Paragraphs 62 and 63 - Estate Agents Act 1979 (c. 38)

Paragraphs 64 and 65 - Magistrate's Courts Act 1980 (c. 43)

These notes refer to the Civil Partnership Act 2004 (c.33)

Paragraph 66 - Disused Burial Grounds (Amendment) Act 1981 (c. 18)

Paragraph 67 - Forgery and Counterfeiting Act 1981 (c. 45):

Paragraphs 68 to 70 – Supreme Court Act 1981 (c. 54)

Paragraphs 71 to 78 – British Nationality Act 1981 (c. 61)

Paragraph 79 - Forfeiture Act 1982 (c. 34)

Paragraphs 80 to 85 - Representation of the People Act 1983 (c. 2)

Paragraph 86 - Mental Health Act 1983 (c. 20)

Paragraphs 87 and 88 – Mobile Homes Act 1983 (c. 34)

Paragraph 89 - Dentists Act 1984 (c. 24)

Paragraphs 90 to 96 – Matrimonial and Family Proceedings Act 1984 (c. 42)

Paragraphs 97 and 98 - Police and Criminal Evidence Act 1984 (c. 60)

Paragraphs 99 to 105 and 128 – Companies Act 1985 (c. 6) and 1989 (c. 40)

Paragraphs 106 to 108 - Enduring Powers of Attorney Act 1985 (c. 29)

Paragraph 109 - Food and Environment Protection Act 1985 (c. 48)

Paragraph 110 - Child Abduction and Custody Act 1985 (c. 60)

Paragraph 111 - Airports Act 1986 (c. 31)

Paragraphs 112 to 122 - The Insolvency Act 1986 (c. 45)

Paragraph 123 – Building Societies Act 1986 (c. 53)

Paragraphs 124 and 125 – Family Law Act 1986 (c. 55)

Paragraph 126 - Consumer Protection Act 1987 (c. 43)

Paragraph 127 - Criminal Justice Act 1988 (c. 33)

Paragraph 128 – Companies Act 1989 (c. 40)

Paragraphs 129 to 132 - Children Act 1989 (c. 41)

Paragraphs 133 and 134 - Local Government and Housing Act 1989 (c. 42)

Paragraph 135 - Opticians Act 1989 (c. 44)

Paragraph 136 - Food Safety Act 1990 (c. 16)

Paragraphs 137 and 138 - Courts and Legal Services Act 1990 (c. 41)

Paragraph 139 – Broadcasting Act 1990 (c. 42)

Paragraph 140 - Local Government Finance Act 1992 (c. 14)

These notes refer to the Civil Partnership Act 2004 (c.33)

Paragraph 141 –to 142 – Friendly Societies Act 1992 (c. 40)

Paragraphs 144 to 146 - Trade Union and Labour Relations Act 1992 (c. 52)

Paragraph 147 – Charities Act 1993 (c. 10)

Paragraph 148 – Pension Schemes Act 1993 (c. 48)

Paragraph 149 – Pension Schemes (Northern Ireland) Act 1993 (c. 49)

Paragraph 150 - Disability Discrimination Act 1995 (c. 50)

Paragraph 151 - Employment Rights Act 1996 (c. 18)

Paragraph 152 - Family Law Act 1996 (c. 27)

Paragraph 153 – Trusts of Land and Appointment of Trustees Act 1996 (c. 47)

Paragraph 154 - Civil Procedure Act 1997 (c. 12)

Paragraph 155 - National Minimum Wage Act 1998 (c. 39)

Paragraph 156 - Access to Justice Act 1999 (c. 22)

Paragraphs 157 to 161 – Welfare Reform and Pensions Act 1999 (c. 30)

Paragraphs 162 to 163 - Immigration and Asylum Act 1999 (c. 33)

Paragraph 164 - Representation of the People Act 2000 (c. 2)

Paragraphs 165 - 166 - Financial Services and Markets Act 2000 (c. 8)

Paragraph 167 - Land Registration Act 2002 (c. 9)

Paragraphs 168 and 169 - Enterprise Act 2002 (c. 40)

Paragraph 170 - Licensing Act 2003 (c. 17)

Paragraph 171 - Local Government Act 2003 (c. 26)

Paragraph 172 - Courts Act 2003 (c. 39)

Paragraphs 173 to 175 – Sexual Offences Act 2003 (c. 42)

Schedule 28 – Consequential amendments: Scotland

**PART 1 – AMENDMENTS OF THE SUCCESSION (SCOTLAND)
ACT 1964 (C. 41)**

**PART 2 – AMENDMENTS OF THE FAMILY LAW (SCOTLAND)
ACT 1985 (C. 37)**

**PART 3 – AMENDMENTS OF THE BANKRUPTCY (SCOTLAND)
ACT 1985 (C. 66)**

PART 4 – MISCELLANEOUS AMENDMENTS

Schedule 29 – Minor and consequential amendments: Northern Ireland

- Paragraph 1 – Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))
- Paragraphs 2 and 3 – Trustee Act (Northern Ireland) 1958 (c. 23 (N.I.))
- Paragraphs 4 and 5 – Perpetuities Act (Northern Ireland) 1966 (c. 2 (N.I.))
- Paragraph 6 – Office and Shop Premises Act (Northern Ireland) 1966 (c.26 (N.I.))
- Paragraphs 7 and 8 - Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35 (N.I.))
- Paragraph 9 – Census Act (Northern Ireland) 1969 (c.8 (N.I.))
- Paragraph 10 – Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))
- Paragraphs 11 and 12 – Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24 (N.I.))
- Paragraph 13 – Land Registration Act (Northern Ireland) 1970 (c.18 (N.I.))
- Paragraphs 14 and 15 – Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971 (c.7 (N.I.))
- Paragraph 16 – Civil Evidence Act (Northern Ireland) 1971 (c. 36 (N.I.))
- Paragraphs 17 and 18 – Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.))
- Paragraph 19 - Employers' Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (S.I. 1972/963 (N.I. 6))
- Paragraph 20 – Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1041 (N.I. 14))
- Paragraph 21 – Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))
- Paragraph 22 – Pharmacy (Northern Ireland) Order 1976 (S.I. 1976/ 1213 (N.I. 22))
- Paragraph 23 – Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))
- Paragraphs 24 to 26 – Judicature (Northern Ireland) Act 1978 (c.23)
- Paragraph 27 – Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/ 1039 (N.I. 9))
- Paragraphs 28 to 33 - Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15))
- Paragraph 34 – Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/ 1908 (N.I. 27))
- Paragraph 35 – Criminal Appeal (Northern Ireland) Act 1980 (c. 47)

These notes refer to the Civil Partnership Act 2004 (c.33)

Paragraphs 36 to 38 – County Courts (Northern Ireland) Order 1980 (S.I. 1980/ 397 (N.I. 3))

Paragraphs 39 and 40 - Domestic Proceedings (Northern Ireland) Order 1980 (S.I. 1980/563 (N.I. 5))

Paragraphs 41 to 52 – Judgements Enforcement (Northern Ireland) Order 1981 (S.I. 1981/ 226 (N.I. 6))

Paragraphs 53 and 54– Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))

Paragraphs 55 to 61 – Magistrates’ Courts (Northern Ireland) Order 1981 (S.I. 1981/ 1675 (N.I. 26))

Paragraph 62 – Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/ 1120 (N.I. 13))

Paragraph 63 – Forfeiture (Northern Ireland) Order 1982 (S.I. 1982/ 1082 (N.I. 14))

Paragraph 64 – Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 (S.I. 1984/1984 (N.I. 14))

Paragraphs 65 and 66 – Credit Unions (Northern Ireland) Order 1985 (S.I. 1985/1205 (N.I. 12))

Paragraph 67 - Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))

Paragraphs 68 to 75 and 90 – Companies (Northern Ireland) Order 1986 (S.I. 1986/1032 (N.I. 6)) and 1990 (S.I. 1990/593 (N.I.))

Paragraphs 76 to 78 – Enduring Powers of Attorney (Northern Ireland) Order 1987 (S.I. 1987/ 1627 (N.I. 16))

Paragraph 79 – Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (S.I. 1989/677 (N.I. 4))

Paragraphs 80 to 87 - The Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))

Paragraphs 88 and 89 – Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/ 1341 (N.I. 12))

Paragraph 91 – Food Safety (Northern Ireland) Order 1991 (S.I. 1990/ 762 (N.I. 7))

Paragraph 92 – Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I. 5))

Paragraph 93 – Pension Schemes (Northern Ireland) Act 1993 (c.49)

Paragraph 94 – Family Law (Northern Ireland) Order 1993 (S.I. 1993/ 1576 (N.I. 6))

Paragraphs 95 to 100 – Children (Northern Ireland) Order 1995 (S.I. 1995/ 755 (N.I. 2))

These notes refer to the Civil Partnership Act 2004 (c.33)

Paragraph 101 – Trade Union and Labour Relations (Northern Ireland) Order 1995 (S.I. 1995/ 1980 (N.I. 12))

Paragraphs 102 and 103 – Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))

Paragraph 104 – Registration of Clubs (Northern Ireland) Order 1996 (S.I. 1996/ 3159 (N.I. 23))

Paragraph 105 – Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))

Paragraphs 106 and 107 – Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))

Paragraphs 108 to 112 - Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/ 3147 (N.I. 11))

Paragraph 113 – Housing (Northern Ireland) Order 2003 (S.I. 2003/ 412 (N.I. 2))

Paragraphs 114 and 115 – Marriage (Northern Ireland) Order 2003 (S.I. 2003/ 413 (N.I. 3))

Paragraph 116 – Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/ 435 (N.I. 10))

Paragraph 117 – Firearms (Northern Ireland) Order 2004 (S.I. 2004/ 702 (N.I. 3))

Schedule 30 – Repeals and revocations

TERRITORIAL APPLICATION: WALES

COMMENCEMENT

HANSARD REFERENCES