

*These notes refer to the Civil Partnership Act 2004 (c.33)
which received Royal Assent on 18th November 2004*

CIVIL PARTNERSHIP ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 3 - Civil Partnerships: Scotland

Introduction

Chapter 3 – Occupancy Rights and Tenancies

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

221. This section explains the circumstances that the court must take into account where a civil partner brings an action for the division and sale of a family home owned jointly with the other civil partner. The section allows the court to refuse to grant a decree, to postpone granting a decree or granting a decree with certain conditions applied.