

*Changes to legislation: Civil Partnership Act 2004, Part 1 is up to date with all changes known to be in force on or before 26 March 2024. 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*

## SCHEDULES

### SCHEDULE 24

#### SOCIAL SECURITY, CHILD SUPPORT AND TAX CREDITS

#### PART 1

##### AMENDMENTS OF THE CHILD SUPPORT ACT 1991 (C. 48)

- 1 In section 8 (role of the courts with respect to maintenance for children), after subsection (11)(e) insert—  
“(ea) Schedule 5, 6 or 7 to the Civil Partnership Act 2004; or”.
- 2 In section 15 (powers of inspectors), in subsection (7)—
  - (a) after “married” insert “ or is a civil partner ”, and
  - (b) after “spouse” insert “ or civil partner ”.
- 3 [F1In section 55 (meaning of “child”), in subsection (2)—
  - (a) in paragraph (a), after “married” insert “ or a civil partner ”,
  - (b) in paragraph (b), after “marriage” insert “ , or been a party to a civil partnership, ”, and
  - (c) in paragraph (c), after “granted” insert “ or has been a party to a civil partnership in respect of which a nullity order has been made ”.]

#### Textual Amendments

- F1** Sch. 24 para. 3 repealed (10.12.2012 for specified purposes, 29.7.2013 for specified purposes, 25.11.2013 in so far as not already in force) by [Child Maintenance and Other Payments Act 2008 \(c. 6\), s. 62\(3\), Sch. 8; S.I. 2012/3042, arts. 2\(g\)\(ii\), 3 \(with arts. 5, 6\) \(as amended \(29.7.2013\) by S.I. 2013/1860, art. 6 and \(24.6.2014\) by S.I. 2014/1635, art. 6\); S.I. 2013/1860, arts. 2\(g\)\(ii\), 3 \(with arts. 5, 7\) \(as amended \(24.6.2014\) by S.I. 2014/1635, art. 7\); S.I. 2013/2947, art. 2\(e\)\(ii\) \(with arts. 3-5\)](#)

- 4 For paragraph 6(5)(b) (as originally enacted) of Schedule 1 (maintenance assessments) substitute—  
“(b) where the absent parent—
  - (i) is living together in the same household with another adult of the opposite sex (regardless of whether or not they are married),
  - (ii) is living together in the same household with another adult of the same sex who is his civil partner, or
  - (iii) is living together in the same household with another adult of the same sex as if they were civil partners,income of that other adult.”.
- 5 After paragraph 6(5) (as originally enacted) of that Schedule insert—

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“(5A) For the purposes of this paragraph, two adults of the same sex are to be regarded as living together in the same household as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two adults of the opposite sex.”

- 6 In paragraph 10C of that Schedule (as substituted by section 1(3) of, and Schedule 1 to, the Child Support, Pensions and Social Security Act 2000 (c. 19)), for sub-paragraph (5) substitute—

“(5) In sub-paragraph (4)(a), “couple” means—

- (a) a man and a woman who are married to each other and are members of the same household,
- (b) a man and a woman who are not married to each other but are living together as husband and wife,
- (c) two people of the same sex who are civil partners of each other and are members of the same household, or
- (d) two people of the same sex who are not civil partners of each other but are living together as if they were civil partners.

- (6) For the purposes of this paragraph, two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.”

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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. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)