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*Changes to legislation:* There are outstanding changes not yet made by the legislation.gov.uk editorial team to Civil Partnership Act 2004. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 28

#### CONSEQUENTIAL AMENDMENTS: SCOTLAND

##### PART 4

##### MISCELLANEOUS AMENDMENTS

##### *Children (Scotland) Act 1995 (c. 36)*

- 60 (1) Amend section 12 (restrictions on decrees for divorce, separation or annulment affecting children) as follows.
- (2) In subsection (1), the existing words “divorce, judicial separation, or declarator of nullity of marriage” become paragraph (a) and after that paragraph insert “ or ” and the following paragraph—
- “(b) dissolution or declarator of nullity of a civil partnership or separation of civil partners,”.
- (3) <sup>F1</sup> .....

##### **Annotations:**

##### **Amendments (Textual)**

- F1** Sch. 28 para. 60(3) repealed (4.5.2006) by Family Law (Scotland) Act 2006 (asp 2), ss. 45(2), 46(2), Sch. 3; S.S.I. 2006/212, art. 2 (subject to arts. 3-13)

##### **Commencement Information**

- II** Sch. 28 para. 60 partly in force; Sch. 28 para. 60 not in force at Royal Assent see s. 263; Sch. 28 para. 60(1)(2) in force at 5.12.2005 by S.S.I. 2005/604, arts. 2, 4

- 61 In section 54(2) (reference to the Principal Reporter by court), after paragraph (a) insert—
- “(aa) an action for dissolution or declarator of nullity of a civil partnership or separation of civil partners;”.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act power to apply (with modifications) conferred by 2014 asp 5 s. 30(5)(b)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 1(3)(b) and word inserted by 2013 c. 30 Sch. 7 para. 34(b)
- s. 1(3A) inserted by 2014 asp 5 s. 11(9)
- s. 8(4)(c) inserted by 2014 c. 22 Sch. 4 para. 19(2)
- s. 8(5A) inserted by 2014 c. 22 Sch. 4 para. 19(3)
- s. 8A inserted by 2014 c. 22 Sch. 4 para. 20
- s. 9-9F substituted for s. 9 by 2014 c. 22 Sch. 4 para. 21
- s. 12(4)-(8) inserted by 2014 c. 22 Sch. 4 para. 23(3)
- s. 12A inserted by 2014 c. 22 Sch. 4 para. 24
- s. 14(6) inserted by 2014 c. 22 Sch. 4 para. 26(1)
- s. 14A inserted by 2014 c. 22 Sch. 4 para. 26(2)
- s. 15(3) inserted by 2014 c. 22 Sch. 4 para. 26(3)(b)
- s. 16(3A) inserted by 2014 c. 22 Sch. 4 para. 26(4)(b)
- s. 30A inserted by 2014 c. 22 Sch. 4 para. 27
- s. 31(2)(ab) repealed by 2012 c. 9 s. 114(4) Sch. 10 Pt. 11
- s. 34(1A)-(1C) inserted by 2016 c. 19 Sch. 15 para. 4(3)
- s. 36(2)(g) inserted by 2015 c. 20 s. 99(2)
- s. 45(5)(a) words substituted by 2013 c. 22 Sch. 11 para. 163
- s. 52(1)(ab) inserted by 2014 c. 22 Sch. 4 para. 29(b)
- s. 86(3A) inserted by 2014 asp 5 s. 24(3)(c)
- s. 88(7) inserted by 2014 asp 5 s. 24(5)
- s. 88(8)-(10) inserted by 2014 asp 5 s. 25
- s. 88A-88F inserted by S.I. 2015/396 Sch. 3 para. 2
- s. 88A(9) applied by S.I. 2015/404 reg. 17(4)(b)
- s. 89(3) inserted by 2014 asp 5 s. 24(6)
- s. 89(4) inserted by S.I. 2015/396 Sch. 3 para. 4
- s. 91(1) s. 91 renumbered as s. 91(1) by 2014 asp 5 s. 24(8)(a)
- s. 91(1) words inserted by 2014 asp 5 s. 24(8)(b)(iii)
- s. 91(1) words substituted by 2014 asp 5 s. 24(8)(b)(i)
- s. 91(1) words substituted by 2014 asp 5 s. 24(8)(b)(ii)
- s. 91(1A)(1B) inserted by S.I. 2015/396 Sch. 3 para. 5(2)
- s. 91(2) inserted by 2014 asp 5 s. 24(8)(c)
- s. 92(4)(b)(iii) and word repealed by 2014 asp 5 s. 24(9)(b)(ii)
- s. 93(1A) inserted by 2014 asp 5 s. 24(10)(b)
- s. 93A inserted by 2014 asp 5 s. 24(11)
- s. 94(1) s. 94 renumbered as s. 94(1) by 2014 asp 5 s. 24(12)(a)
- s. 94(1)(b) words substituted by 2014 asp 5 s. 24(12)(b)(i)
- s. 94(1)(b) words substituted by 2014 asp 5 s. 24(12)(b)(ii)
- s. 94(2) (3) inserted by 2014 asp 5 s. 24(12)(c)
- s. 94A-94E inserted by 2014 asp 5 s. 24(13)
- s. 94A inserted by S.I. 2015/396 Sch. 3 para. 6
- s. 95(1A) inserted by 2014 asp 5 s. 24(14)(b)
- s. 95(3A)-(3C) inserted by 2014 asp 5 s. 24(14)(d)
- s. 95ZA inserted by 2014 asp 5 s. 24(15)
- s. 97(5A) inserted by 2014 asp 5 s. 24(18)(b)
- s. 100(3A) (3B) inserted by 2014 asp 5 s. 24(19)(b)
- s. 139A-139E inserted by S.I. 2015/395 Sch. 3 para. 2
- s. 139A(9) applied by S.I. 2015/404 reg. 18(4)(b)

- s. 140(2A)(2B) inserted by S.I. 2015/395 Sch. 3 para. 4
- s. 143A inserted by S.I. 2015/395 Sch. 3 para. 5
- s. 176(c) inserted by S.I. 2015/395 Sch. 3 para. 7
- s. 210(6) inserted by S.I. 2012/3100 art. 2(4)
- s. 210(6) words inserted by 2013 c. 30 Sch. 7 para. 36
- s. 212(1A) inserted by S.I. 2014/560 Sch. 1 para. 29(2)
- s. 213(1A) inserted by 2013 c. 30 Sch. 2 para. 5(2)
- s. 214(ba) inserted by 2014 asp 5 s. 26(2)(a)
- s. 222(a)(b) omitted by 2013 c. 13 Sch. 2 para. 3(3)
- s. 222(ba) inserted by 2013 c. 13 Sch. 2 para. 3(4)
- Sch. 2 para. 2A inserted by 2014 c. 6 Sch. 2 para. 66(4)
- Sch. 2 para. 5(11) words inserted by S.I. 2014/560 Sch. 1 para. 29(3)
- Sch. 3A inserted by 2014 c. 22 Sch. 4 para. 25
- Sch. 5 para. 38(1) Sch. 5 para. 38 renumbered as Sch. 5 para. 38(1) by 2012 c. 10 s. 52(4)(a)
- Sch. 5 para. 10(1)(a)(iii) inserted by 2012 c. 10 s. 54(3)
- Sch. 5 para. 38(2) (3) inserted by 2012 c. 10 s. 52(4)(b)
- Sch. 5 para. 38A and cross-heading inserted by 2012 c. 10 s. 52(5)
- Sch. 5 para. 38B inserted by 2012 c. 10 s. 53
- Sch. 5 para. 60(6) (7) substituted for Sch. 5 para. 60(6) by 2014 c. 16 Sch. 3 para. 5
- Sch. 5 para. 65(10)(aa) substituted for Sch. 5 para. 65(10)(b)(c) by 2013 c. 22 Sch. 11 para. 172(5)
- Sch. 6 para. 46(b)(c) omitted by 2013 c. 22 Sch. 11 para. 198(b)
- Sch. 10A inserted by S.I. 2015/396 Sch. 3 para. 3
- Sch. 13A inserted by S.I. 2015/395 Sch. 3 para. 3
- Sch. 23 para. A1 inserted by 2014 c. 22 s. 58(5)
- Sch. 23 para. 1(1A) (1B) substituted for Sch. 23 para. 1(1) by 2014 c. 22 s. 58(6)
- Sch. 23 para. A1(4) word substituted by S.I. 2015/395 Sch. 3 para. 8(a)

**Commencement Orders yet to be applied to the Civil Partnership Act 2004**

Commencement Orders bringing legislation that affects this Act into force:

- S.R. 2012/406 art. 2 commences (2011 c. 20 (N.I.))
- S.R. 2012/440 art. 2 3 commences (2008 c. 10 (N.I.))
- S.R. 2013/201 art. 2 commences (2008 c. 10 (N.I.))
- S.R. 2013/276 art. 2 commences (2008 c. 10 (N.I.))
- S.R. 2015/193 art. 2 commences (2014 c. 11 (N.I.))
- S.R. 2016/387 art. 2 commences (2015 c. 9 (N.I.))
- S.R. 2018/66 art. 2(1) commences (S.I. 2016/999 (N.I.))