



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 2

DISSOLUTION, NULLITY AND OTHER PROCEEDINGS

Nullity

49 Grounds on which civil partnership is void

Where two people register as civil partners of each other in England and Wales, the civil partnership is void if—

- (a) at the time when they do so, they are not eligible to register as civil partners of each other under Chapter 1 (see section 3), ^{F1}or
- (b) at the time when they do so they both know—
 - (i) that due notice of proposed civil partnership has not been given,
 - (ii) that the civil partnership document has not been duly issued,
 - (iii) that the civil partnership document is void under section 17(3) or 27(2) (registration after end of time allowed for registering),
 - (iv) that the place of registration is a place other than that specified in the notices (or notice) of proposed civil partnership and the civil partnership document, ^{F2} . . .
 - (v) that a civil partnership registrar is not present, or
 - ^{F3}(vi) that the place of registration is on premises that are not approved premises although the registration is purportedly in accordance with section 6(3A)(a), ^{F4} . . .]

^{F5}(c)

Changes to legislation: Civil Partnership Act 2004, Section 49 is up to date with all changes known to be in force on or before 16 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

Textual Amendments

- F1** Word in s. 49(a) inserted (27.2.2023) by [Marriage and Civil Partnership \(Minimum Age\) Act 2022](#) (c. 28), s. 7(1), **Sch. para. 4(6)(a)** (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)
- F2** Word in s. 49(b)(iv) omitted (5.12.2005) by virtue of [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005](#) (S.I. 2005/2000), art. 3, **Sch. para. 14(2)** (subject to art. 1(3))
- F3** S. 49(b)(vi) inserted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005](#) (S.I. 2005/2000), art. 3, **Sch. para. 14(3)** (subject to art. 1(3))
- F4** Word in s. 49(b)(vi) omitted (27.2.2023) by virtue of [Marriage and Civil Partnership \(Minimum Age\) Act 2022](#) (c. 28), s. 7(1), **Sch. para. 4(6)(b)** (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)
- F5** S. 49(c) omitted (27.2.2023) by virtue of [Marriage and Civil Partnership \(Minimum Age\) Act 2022](#) (c. 28), s. 7(1), **Sch. para. 4(6)(c)** (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)

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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\(2\)](#)