



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 4

CIVIL PARTNERSHIP AGREEMENTS

74 Property where civil partnership agreement is terminated

- (1) This section applies if a civil partnership agreement is terminated.
- (2) Section 65 (contributions by civil partner to property improvement) applies, in relation to any property in which either or both of the parties to the agreement had a beneficial interest while the agreement was in force, as it applies in relation to property in which a civil partner has a beneficial interest.
- (3) Sections 66 and 67 (disputes between civil partners about property) apply to any dispute between or claim by one of the parties in relation to property in which either or both had a beneficial interest while the agreement was in force, as if the parties were civil partners of each other.
- (4) An application made under section 66 or 67 by virtue of subsection (3) must be made within 3 years of the termination of the agreement.
- (5) A party to a civil partnership agreement who makes a gift of property to the other party on the condition (express or implied) that it is to be returned if the agreement is terminated is not prevented from recovering the property merely because of his having terminated the agreement.

Changes to legislation:

Civil Partnership Act 2004, Section 74 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

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\(2\)](#)