



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 1

REGISTRATION

The standard procedure

8 Notice of proposed civil partnership and declaration

[^{F1}(1) For two people to register as civil partners of each other under the standard procedure a notice of proposed civil partnership must be given—

- (a) if the proposed civil partners have resided in the area of the same registration authority for the period of 7 days immediately before the giving of the notice, by each of them to that registration authority;
- (b) if the proposed civil partners have not resided in the area of the same registration authority for that period, by each of them to the registration authority in whose area he or she has resided for that period.]

(2) A notice of proposed civil partnership must contain such information as may be prescribed by regulations.

(3) A notice of proposed civil partnership must also include the necessary declaration, made and signed by the person giving the notice—

- (a) at the time when the notice is given, and
- (b) in the presence of an authorised person;

and the authorised person must attest the declaration by adding his name, description and place of residence.

(4) The necessary declaration is a solemn declaration in writing—

Changes to legislation: Civil Partnership Act 2004, Section 8 is up to date with all changes known to be in force on or before 17 April 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

- (a) that the proposed civil partner believes that there is no impediment of kindred or affinity or other lawful hindrance to the formation of the civil partnership;
 - [^{F2}(b) that the proposed civil partners have for the period of 7 days immediately before the giving of the notice had their usual places of residence in the area of the registration authority, or in the areas of the registration authorities, to which notice is given.]
 - [^{F3}(c) that the proposed civil partner believes all of the information stated in the notice, and all information and evidence supplied with the notice, is true.]
- (5) Where a notice of proposed civil partnership is given to a registration authority in accordance with this section, the registration authority must ensure that the following information is recorded in the register as soon as possible—
- (a) the fact that the notice has been given and the information in it;
 - (b) the fact that the authorised person has attested the declaration.
- [^{F4}(5A) Subsection (5) is subject to section 9F.]
- (6) “Authorised person” means an employee or officer or other person provided by a registration authority who is authorised by that authority to attest notices of proposed civil partnership.
- (7) For the purposes of this Chapter, a notice of proposed civil partnership is recorded when subsection (5) is complied with.

Textual Amendments

- F1** S. 8(1) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 4(2)** (subject to art. 1(3))
- F2** S. 8(4)(b) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 4(3)** (subject to art. 1(3))
- F3** S. 8(4)(c) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 19(2)** (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), art. 2(1)(f)
- F4** S. 8(5A) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 19(3)** (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), art. 2(1)(f)

Commencement Information

- I1** S. 8 partly in force; s. 8 not in force at Royal Assent see s. 263; s. 8(2) in force for certain purposes at 15.4.2005 by [S.I. 2005/1112](#), **art. 2**, **Sch. 1** and otherwise 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), **art. 2(1)**, **Sch. 1**; s. 8(3) - (7) in force at 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), **art. 2(1)**, **Sch. 1**; s. 8(1) never in force;

Changes to legislation:

Civil Partnership Act 2004, Section 8 is up to date with all changes known to be in force on or before 17 April 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.

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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\(2\)](#)