
STATUTORY INSTRUMENTS

2005 No. 3255 (C. 139)

CIVIL PARTNERSHIP, NORTHERN IRELAND

**The Civil Partnership Act 2004 (Commencement
No. 3) (Northern Ireland) Order 2005**

Made - - - - 23rd November 2005

The Department of Finance and Personnel, in exercise of the powers conferred upon it by section 263 of the Civil Partnership Act 2004⁽¹⁾, and after having consulted the Secretary of State for Trade and Industry, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Civil Partnership Act 2004 (Commencement No. 3) (Northern Ireland) Order 2005.

(2) In this Order—

- (a) “the Act” means the Civil Partnership Act 2004; and
- (b) “the 1984 Order” means the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984⁽²⁾.

Commencement

2.—(1) The provisions of the Act specified in the Schedule shall come into force on 5th December 2005.

(2) Subject to paragraphs (3) and (4), Schedule 29 shall, in so far as it is not already in force, come into force on 5th December 2005.

(3) Paragraph 64(3) of Schedule 29 shall only be commenced in so far as it substitutes Parts 1 and 2 of the Table in article 18 of the 1984 Order.

(4) Paragraphs 64(6), 64(7) and 93 of Schedule 29 shall not be commenced by this Order.

(1) 2004 c. 33
(2) S.I. 1984/1984 (N.I. 14)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Sealed with the Official Seal of the Department of Finance and Personnel on 23rd November 2005.

L.S.

Ethne E. Harkness
A senior officer of the
Department of Finance and Personnel

SCHEDULE

Article 2(1)

Sections 137 and 138

Section 139 in so far as it is not already in force

Section 140 in so far as it is not already in force

Sections 141 and 142

Section 143 to 145 in so far as they are not already in force

Section 146

Section 147 in so far as it is not already in force

Section 148

Section 149 in so far as it is not already in force

Sections 150 and 151

Section 152 in so far as it is not already in force

Sections 153 and 154

Sections 155 and 156 in so far as they are not already in force

Section 158

Sections 161 to 168

Section 169 in so far as it is not already in force

Sections 170 to 183

Section 184 in so far as it is not already in force

Sections 185 and 186

Section 187 in so far as it is not already in force

Sections 189 to 191 in so far as they are not already in force

Sections 192 to 209

Section 248 in so far as it is not already in force

Section 252

Section 254(1) in so far as it relates to the provisions in Schedule 24 to the Act which are brought into force by this Order

Section 261(3)

Section 261(4) in so far as relating to any provision which extends only to Northern Ireland

Schedule 12, except paragraph 3

Schedule 13 in so far as it is not already in force

Schedule 14

Schedule 15 in so far as it is not already in force, except Part 6

Schedule 16 in so far as it is not already in force

Schedule 17 in so far as it is not already in force, except paragraphs 10(4)(b), (5)(b) and (9)(c)

Schedules 18 and 19

Schedule 22, except paragraph 19

Schedule 24, except paragraphs 1 to 6, 13 to 66, 86, 88, 100 to 101, 106, 118 to 127, and 138 to 147

Schedule 30 in so far as relating to any provision which extends only to Northern Ireland

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EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 5th December 2005 the provisions of the Civil Partnership Act 2004 (c. 33) (“the Act”) listed in the Schedule, with the following exceptions:

- Paragraph 3 of Schedule 12 to the Act (Prohibited degrees of relationship: Northern Ireland) is not commenced by this Order;
- Part 6 of Schedule 15 to the Act and paragraph 10(4)(b), (5)(b) and (9)(c) of Schedule 17 to the Act, which relate to pension protection fund compensation, are not commenced by this Order;
- Paragraph 19 of Schedule 22 to the Act (which specifies Article 2(4) of the Registered Homes (Northern Ireland) Order 1992 (S.I. 1992/3204 (N.I. 20)) for the purposes of section 246 of the Act), is not to be commenced by this Order;
- Paragraph 64(3) of Schedule 29 to the Act, which amends Article 18 of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 (S.I. 1984/1984 (N.I. 14)) (marriages with prohibited degrees of relationship), is only partially commenced by this Order;
- Paragraph 64(6) and 64(7) of Schedule 29 to the Act, which amends Article 18 of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 (S.I. 1984/1984 (N.I. 14)) (marriages within prohibited degrees of relationship), is not commenced by this Order;
- Paragraph 93 of Schedule 29 to the Act (which amends section 97E(1)(b) of the Pensions Schemes (Northern Ireland) Act 1993 (c. 49)), is not commenced by this Order.

A full regulatory impact assessment has not been produced for this instrument. A regulatory impact assessment identifying the impact on business and the exchequer of the provisions in the Act was published at the time the Act received Royal Assent. It is available from <http://www.dti.gso.uk/access/ria/index.htm>.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act came into force on Royal Assent on 18th November 2004: sections 213(2) to (6), 247(2) to (7), 248(2) to (5), 254(2) to (6), 25, 258, 259, 260, 262, 263 and 264. The following provisions of the Civil Partnership Act 2004 have been brought into force in Northern Ireland by commencement orders made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 1	5.12.2005	2005/3175 ^(a)
s. 139(2) and (3) (partially)	5.9.2005	2005/2399 ^(b)
s. 140(1)(a) (partially)	5.9.2005	2005/2399

(a) The Civil Partnership Act 2004 (Commencement No. 2) Order 2005 (S.I. 2005 No. 3175 (C. 136))

(b) The Civil Partnership Act 2004 (Commencement No. 1) (Northern Ireland) Order 2005 (S.I. 2005 No. 2399 (C. 99))

(c) The Civil Partnership Act 2004 (Commencement No. 1) Order 2005 (S.I. 2005 No. 1112 (C. 47))

(d) The Civil Partnership Act 2004 (Commencement No. 2) (Northern Ireland) Order 2005 (S.I. 2005 No. 3058 (C. 132))

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s. 143 (partially)	5.9.2005	2005/2399
s. 144(4) and (6) (partially)	5.9.2005	2005/2399
s. 145(3) (partially)	5.9.2005	2005/2399
s. 147(1) (partially)	5.9.2005	2005/2399
s. 149(2)(a) (partially)	5.9.2005	2005/2399
s. 152(5)	5.9.2005	2005/2399
s. 155(3) (partially)	5.9.2005	2005/2399
s. 156(1) and (3) (partially)	5.9.2005	2005/2399
s. 157	5.9.2005	2005/2399
ss. 159 and 160	5.9.2005	2005/2399
s. 169(3) and (4)	5.9.2005	2005/2399
s. 184(1) (partially)	5.9.2005	2005/2399
s. 184(2), (6) and (8)	5.9.2005	2005/2399
s. 187(1) and (2)	5.9.2005	2005/2399
s. 188	5.9.2005	2005/2399
s. 189(1)	5.9.2005	2005/2399
s. 189(2) (partially)	5.9.2005	2005/2399
s. 190(2), (3) and (4) (partially)	5.9.2005	2005/2399
s. 191(3) (partially)	5.9.2005	2005/2399
s. 210(1), (2), (4) and (5)	15.4.2005	2005/1112^(c)
s. 210(3)	5.12.2005	2005/3175
s. 211	15.4.2005	2005/1112
s. 212	5.12.2005	2005/3175
s. 213(1)	5.12.2005	2005/3175
ss. 214 to 218	5.12.2005	2005/3175
s. 219	15.4.2005	2005/1112
s. 228 (partially)	15.4.2005	2005/1112
s. 228 (in so far as it is not already in force)	5.12.2005	2005/3175
ss. 229 and 230	5.12.2005	2005/3175
s. 231	15.4.2005	2005/1112
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(a) The Civil Partnership Act 2004 (Commencement No. 2) Order 2005 (S.I. 2005 No. 3175 (C. 136))		
(b) The Civil Partnership Act 2004 (Commencement No. 1) (Northern Ireland) Order 2005 (S.I. 2005 No. 2399 (C. 99))		
(c) The Civil Partnership Act 2004 (Commencement No. 1) Order 2005 (S.I. 2005 No. 1112 (C. 47))		
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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
ss. 232 to 236	5.12.2005	2005/3175
s. 237(1) and (6)	5.12.2005	2005/3175
s. 237(2) to (5)	15.4.2005	2005/1112
s. 238	5.12.2005	2005/3175
ss. 239 to 244	15.4.2005	2005/1112
s. 245 (partially)	15.4.2005	2005/1112
s. 245 (in so far as it is not already in force)	5.12.2005	2005/3175
ss. 246 and 247(1)	5.12.2005	2005/3175
s. 249	5.12.2005	2005/3175
s. 250	5.12.2005	2005/3175
s. 253	5.12.2005	2005/3175
ss. 256 and 257	5.12.2005	2005/3175
Schedule 13 paragraph 6 (partially)	5.9.2005	2005/2399
Schedule 15 paragraphs 10(2), 14(2), (3) and (4), 22(c), 23 and 24(2) and (3) (partially)	7.11.2005	2005/3058^(d)
Schedule 15 paragraph 41(2) (partially)	5.9.2005	2005/2399
Schedule 15 paragraph 41(3)	5.9.2005	2005/2399
Schedule 15 paragraphs 50(3), (4) and (5) and 75(4) (partially)	5.9.2005	2005/2399
Schedule 16 paragraphs 10 and 11(2) (partially)	5.9.2005	2005/2399
Schedule 17 paragraphs 2(3), 4(1) and 12(1) and (5) (partially)	5.9.2005	2005/2399
Schedule 17 paragraphs 14(4), (5) and (6)	5.9.2005	2005/2399
Schedules 20 and 21	5.12.2005	2005/3175
Schedule 23 paragraphs 2(1) and (3), 13, 15(1) and (3), 16(3)(a) and 17 (partially)	15.4.2005	2005/1112
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(a) The Civil Partnership Act 2004 (Commencement No. 2) Order 2005 (S.I. 2005 No. 3175 (C. 136))		
(b) The Civil Partnership Act 2004 (Commencement No. 1) (Northern Ireland) Order 2005 (S.I. 2005 No. 2399 (C. 99))		
(c) The Civil Partnership Act 2004 (Commencement No. 1) Order 2005 (S.I. 2005 No. 1112 (C. 47))		
(d) The Civil Partnership Act 2004 (Commencement No. 2) (Northern Ireland) Order 2005 (S.I. 2005 No. 3058 (C. 132))		

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 23 (in so far as it is not already in force and in so far as it extends to Northern Ireland)	5.12.2005	2005/3175
Schedule 25	5.12.2005	2005/3175
Schedule 26 paragraphs 4, 5, 8 and 17 (partially)	15.4.2005	2005/1112
Schedule 26 (in so far as it is not already in force)	5.12.2005	2005/3175
Schedule 27 paragraph 12	15.4.2005	2005/1112
Schedule 27 paragraphs 21 and 162 (partially)	15.4.2005	2005/1112
Schedule 27 paragraph 163	15.4.2005	2005/1112
Schedule 27 (in so far as it is not already in force and in so far as it extends to Northern Ireland)	5.12.2005	2005/3175
Schedule 29 paragraph 94 (partially)	5.9.2005	2005/2399
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(a) The Civil Partnership Act 2004 (Commencement No. 2) Order 2005 (S.I. 2005 No. 3175 (C. 136))		
(b) The Civil Partnership Act 2004 (Commencement No. 1) (Northern Ireland) Order 2005 (S.I. 2005 No. 2399 (C. 99))		
(c) The Civil Partnership Act 2004 (Commencement No. 1) Order 2005 (S.I. 2005 No. 1112 (C. 47))		
(d) The Civil Partnership Act 2004 (Commencement No. 2) (Northern Ireland) Order 2005 (S.I. 2005 No. 3058 (C. 132))		