
STATUTORY INSTRUMENTS

2019 No. 495

The Civil Partnership and Marriage (Same Sex Couples) (Jurisdiction and Judgments) (Amendment etc.) (EU Exit) Regulations 2019

PART 2

Amendment of primary legislation

Amendment of the Domicile and Matrimonial Proceedings Act 1973

3.—(1) Paragraph 5 of Schedule A1 (power to make provision corresponding to [EC Regulation 2201/2003](#)) to the Domicile and Matrimonial Proceedings Act 1973(1) is amended as follows.

(2) In the heading for “[EC Regulation 2201/2003](#)” substitute “provision for opposite sex married couples”.

(3) In sub-paragraph (1)—

(a) in paragraph (a)—

(i) in sub-paragraph (i) for “a member state,” substitute “England and Wales, or”;

(ii) omit sub-paragraph (ii) and the “or” following it;

(iii) in sub-paragraph (iii) for “a part of the United Kingdom or the Republic of Ireland” substitute “England and Wales”;

(b) omit paragraph (b) and the “and” preceding it.

(4) Omit sub-paragraphs (2) to (4).

Amendment of the Civil Partnership Act 2004

4.—(1) The Civil Partnership Act 2004(2) is amended as follows.

(2) In section 219 (power to make provision corresponding to [EC Regulation 2201/2003](#))—

(a) in the heading, for “corresponding to [EC Regulation 2201/2003](#)” substitute “as to jurisdiction in relation to civil partnerships”;

(b) in subsection (1)—

(i) in paragraph (a)—

(aa) in sub-paragraph (i) for “a member state,” substitute “England and Wales, or”;

(bb) omit sub-paragraph (ii) and the “or” following it;

(1) [1973 c. 45](#), Schedule A1 was inserted by the Marriage (Same Sex Couples) Act 2013, Schedule 4, Part 4, paragraph 8; there are other amending instruments but none is relevant.

(2) [2004 c. 33](#), amended by [S.I. 2010/976](#); there are other amending instruments but none is relevant.

- (cc) in sub-paragraph (iii) for “a part of the United Kingdom or the Republic of Ireland” substitute “England and Wales”;
 - (ii) omit paragraph (b) and the “and” preceding it;
 - (c) in subsection (1A)—
 - (i) in paragraph (a) for “in such cases as are mentioned in subsection (1)(a), and” substitute “in cases where a civil partner—
 - “(i) is or has been habitually resident in Northern Ireland, or
 - (ii) is domiciled in Northern Ireland.”;
 - (ii) omit paragraph (b);
 - (d) omit subsections (3) to (5).
- (3) In section 234 (recognition in the UK of overseas dissolution, annulment or separation)—
- (a) in subsection (1) omit “Subject to subsection (2),”;
 - (b) omit subsection (2);
 - (c) in subsection (3) for “subsections (1) and (2)” substitute “subsection (1)”.