
Changes to legislation: Civil Partnership Act 2004, Cross Heading: Matrimonial Causes Act 1973 (c. 18) is up to date with all changes known to be in force on or before 04 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

SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Matrimonial Causes Act 1973 (c. 18)

- 40 In section 11 (grounds on which marriage is void), at the end of paragraph (b) insert “ or a civil partner ”.
- 41 (1) Amend section 14 (marriages governed by foreign law or celebrated abroad under English law) as follows.
- (2) In subsection (1), at the beginning insert “ Subject to subsection (3) ”.
- (3) After subsection (2) insert—
- “ (3) No marriage is to be treated as valid by virtue of subsection (1) if, at the time when it purports to have been celebrated, either party was already a civil partner. ”
- 42 In section 24A (orders for sale of property), in subsection (5), after “ re-marriage of ” insert “ , or formation of a civil partnership by, ”.
- 43 (1) Amend section 28 (duration of continuing financial provision orders in favour of party to marriage, and effect of remarriage) as follows.
- (2) In subsection (1)(a) and (b) after “ remarriage of ” insert “ , or formation of a civil partnership by, ”.
- (3) In subsection (2)—
- (a) after “ remarriage of ” insert “ , or formation of a civil partnership by, ”, and
- (b) after “ the remarriage ” insert “ or formation of the civil partnership ”.
- (4) In subsection (3), after “ remarries whether at any time before or after the commencement of this Act ”, insert “ or forms a civil partnership ”.
- (5) In the heading to section 28, after “ remarriage ” insert “ or formation of civil partnership ”.
- 44 In section 35 (alteration of agreements by court during lives of parties), in subsection (4)(a) and (b), after “ remarriage of ” insert “ , or formation of a civil partnership by, ”.
- 45 (1) Amend section 38 (orders for repayment in certain cases of sums paid after cessation of order by reason of remarriage) as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after “ remarriage of ”, insert “ , or formation of a civil partnership by, ”, and

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- (b) in paragraph (b), after “remarriage” insert “ or formation of the civil partnership ”.
- (3) In subsection (6)—
- (a) in paragraph (a), after “remarriage of” insert “ , or formation of a civil partnership by, ” and
 - (b) in the words following paragraph (b), after “had remarried” insert “ or formed a civil partnership ”.
- (4) In the heading to section 38, after “remarriage” insert “ or formation of civil partnership ”.
- 46 In section 52 (interpretation), after subsection (3), insert —
- “(3A) References in this Act to the formation of a civil partnership by a person include references to a civil partnership which is by law void or voidable.”

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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\(2\)](#)