



Civil Partnership Act 2004

2004 CHAPTER 33

PART 8

SUPPLEMENTARY

260 [F¹EU] obligations and civil partners

- (1) Subsection (2) applies where any person, by Order in Council or regulations under section 2(2) of the European Communities Act 1972 (c. 68) (general implementation of Treaties)—
 - (a) is making provision for the purpose of implementing, or for a purpose concerning, [F²an EU] obligation of the United Kingdom which relates to persons who are or have been parties to a marriage, or
 - (b) has made such provision and it has not been revoked.
- (2) The appropriate person may by Order in Council or (as the case may be) by regulations make provision in relation to persons who are or have been civil partners in a civil partnership that is the same or similar to the provision referred to in subsection (1).
- (3) “Marriage” and “civil partnership” include a void marriage and a void civil partnership respectively.
- (4) “The appropriate person” means—
 - (a) if subsection (1)(a) applies, the person making the provision referred to there;
 - (b) if subsection (1)(b) applies, any person who would have power to make the provision referred to there if it were being made at the time of the exercise of the power under subsection (2).
- (5) The following provisions apply in relation to the power conferred by subsection (2) to make an Order in Council or regulations as they apply in relation to the power conferred by section 2(2) of the 1972 Act to make an Order in Council or regulations—
 - (a) paragraph 2 of Schedule 2 to the 1972 Act (procedure etc. in relation to making of Orders in Council and regulations: general);

Changes to legislation: Civil Partnership Act 2004, Section 260 is up to date with all changes known to be in force on or before 21 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](#)

- (b) paragraph 15(3)(c) of Schedule 8 to the Scotland Act 1998 (c. 46) (modifications of paragraph 2 in relation to Scottish Ministers and to Orders in Council made on the recommendation of the First Minister);
- (c) paragraph 3 of Schedule 2 to the 1972 Act (modifications of paragraph 2 in relation to Northern Ireland departments etc.) and the Statutory Rules (Northern Ireland) Order 1979 (S.I. 1979/1573 (N.I. 12)) (treating the power conferred by subsection (2) as conferred by an Act passed before 1st January 1974 for the purposes of the application of that Order);
- (d) section 29(3) of the Government of Wales Act 1998 (c. 38) (modifications of paragraph 2 in relation to the National Assembly for Wales).

Textual Amendments

- F1** Word in s. 260 heading substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 3, **6(1)(e)**
- F2** Words in s. 260(1)(a) substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), **arts. 3**, {6(1)(e) (3)}

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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\(2\)](#)