
STATUTORY INSTRUMENTS

1994 No. 1899

The Wills and Administration Proceedings (Northern Ireland) Order 1994

PART II WILLS

Effect of marriage, divorce, etc.

Effect of dissolution or annulment of civil partnership

13B.—(1) This Article applies if, after a testator has made a will—

- (a) a court of civil jurisdiction in Northern Ireland dissolves his civil partnership or makes a nullity order in respect of it, or
- (b) his civil partnership is dissolved or annulled and the dissolution or annulment is entitled to recognition in Northern Ireland under Chapter 3 of Part 5 of the Civil Partnership Act 2004.

(2) Subject to any contrary intention appearing from the will—

- (a) provisions of the will appointing executors or trustees or conferring a power of appointment, if they appoint or confer the power on the former civil partner, take effect as if the former civil partner had died on the date on which the civil partnership is dissolved or annulled, and
- (b) except as provided in paragraph (3), any property comprising or included in a gift to the former civil partner passes as if the former civil partner had died on that date.

(3) Where property comprising or included in a gift to the former civil partner is a share of residue, the will takes effect as if the gift of the residue were to the other person or persons entitled to it (and, if more than one, in such shares as to preserve the ratio of their former shares), to the exclusion of the former civil partner.

(4) Paragraph (2)(b) does not affect any right of the former civil partner to apply for financial provision under the Inheritance (Provision for Family and Dependents) (Northern Ireland) Order 1979 (S.I. 1979/ 924 (N.I. 8)).

Changes to legislation:

The Wills and Administration Proceedings (Northern Ireland) Order 1994, Section 13B is up to date with all changes known to be in force on or before 25 March 2023. 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order modified by [2016 c. 18 \(N.I.\) Sch. 5 para. 4\(2\)](#)