

## SCHEDULE

### ANCILLARY PROVISION

#### **Modification of the Civil Partnership Act 2004**

4. Section 116 of the Civil Partnership Act 2004<sup>(1)</sup>, insofar as it continues to have effect despite its repeal, does so as though it were modified as follows—

- (a) in subsection (1), paragraph (b) and the word “, and” immediately preceding it were omitted;
- (b) subsection (4) were omitted;
- (c) after subsection (4) there were inserted—
  - “(4A) Subsections (5) to (7) apply where the procurator fiscal has decided that no criminal proceedings are to be taken in respect of the facts and circumstances which gave rise to the arrest under section 114(4).”;
- (d) in subsection (5), for “subsection (1)” there were substituted “subsection (4A)”.

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(1) [2004 c.33](#). Section 116 was repealed by the 2006 Act schedule 3, subject to the saving provision contained in [S.S.I. 2006/212](#) article 13.