Civil Partnership Act 2004

2004 CHAPTER 33

PART 1

INTRODUCTION

1 Civil partnership

(1) A civil partnership is a relationship between two people [F1of the same sex] (“civil partners”)—
   (a) which is formed when they register as civil partners of each other—
      (i) in England or Wales (under Part 2),
      (ii) in Scotland (under Part 3),
      (iii) in Northern Ireland (under Part 4), or
      (iv) outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 (registration at British consulates etc. or by armed forces personnel), or
   (b) which they are treated under Chapter 2 of Part 5 as having formed (at the time determined under that Chapter) by virtue of having registered an overseas relationship.

(2) Subsection (1) is subject to the provisions of this Act under or by virtue of which a civil partnership is void.

(3) [F2(a)]

   A civil partnership ends only on death, dissolution or annulment [F3, or
   (b) in the case of a civil partnership formed as mentioned in subsection (1)(a)(i) or (iv), on the conversion of the civil partnership into a marriage under section 9 of the Marriage (Same Sex Couples) Act 2013[F4, or
   (c) on its coming to an end in accordance with section 11(2)(a) of the Marriage and Civil Partnership (Scotland) Act 2014 (asp 5) (ending of civil partnership formed as mentioned in subsection (1)(a)(ii) or (iv) on its being changed to a marriage under section 10 of that Act, and ending of certain civil partnerships

"Changes to legislation: Civil Partnership Act 2004, Part 1 is up to date with all changes known to be in force on or before 15 August 2020. 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"
(3A) Subsection (3) is subject to section 11(2)(a) of the Marriage and Civil Partnership (Scotland) Act 2014 (ending of certain civil partnerships on marriage under Scots law).

(4) The references in subsection (3) to dissolution and annulment are to dissolution and annulment having effect under or recognised in accordance with this Act.

(5) References in this Act to an overseas relationship are to be read in accordance with Chapter 2 of Part 5.

Textual Amendments


F2 Word in s. 1(3) inserted (10.12.2014) by Marriage (Same Sex Couples) Act 2013 (c. 30), s. 21(3), Sch. 7 para. 34(a); S.I. 2014/3169, art. 2

F3 S. 1(3)(b) and word inserted (10.12.2014) by Marriage (Same Sex Couples) Act 2013 (c. 30), s. 21(3), Sch. 7 para. 34(b); S.I. 2014/3169, art. 2

F4 S. 1(3)(c) and word inserted (E.W.N.I.) (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514), regs. 1(2), 10(3)(c) (with regs. 6-9, 10(4))

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View outstanding changes

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

– Act power to modify conferred by 2020 asp 15 s. 4(2)(c)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 37A inserted by 2020 c. 11 s. 4(3)
– s. 38(A1) inserted by 2020 c. 11 s. 4(4)(b)
– s. 56(1A) inserted by 2020 c. 11 s. 5(3)
– s. 94A(2A)(2B) inserted by 2020 asp 15 s. 7(2)(b)
– s. 94B(1A) inserted by 2020 asp 15 s. 8(2)(b)
– s. 94B(6A) inserted by 2020 asp 15 s. 8(2)(e)
– s. 94E(2A) inserted by 2020 asp 15 s. 9(2)(a)
– s. 94E(3A) inserted by 2020 asp 15 s. 9(2)(c)
– s. 97A inserted by 2020 asp 15 s. 10(2)
– s. 117(3A) inserted by 2020 asp 15 sch. 2 para. 6(2)(b)
– s. 121A inserted by 2020 asp 15 s. 11(2)
– s. 204A inserted by S.I. 2020/742 reg. 12
– s. 213(1A) inserted by 2013 c. 30 Sch. 2 para. 5(2)
– s. 213(7)(8) inserted by 2020 asp 15 s. 2(3)(f)
– s. 215(3A)-(3C) inserted by 2020 asp 15 s. 2(4)(b)
– s. 225(3A) inserted by 2020 asp 15 sch. 2 para. 6(4)(a)
– Sch. 5 para. 39(2A) inserted by S.I. 2019/519, Sch. para. 25(3)(b) (as substituted) by S.I. 2019/1338 reg. 3(3)(ii) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
– Sch. 15 para. 34(2A) inserted by S.I. 2019/519, Sch. para. 25(8)(a)(ii) (as substituted) by S.I. 2019/1338 reg. 3(3)(j)(v) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
– Sch. 20 Pt. 1 para. 1 words substituted by 2020 asp 15 s. 2(6)(b)