



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 6

MISCELLANEOUS

80 False statements etc. with reference to civil partnerships

- (1) A person commits an offence if—
- (a) for the purpose of procuring the formation of a civil partnership, or a document mentioned in subsection (2), he—
 - (i) makes or signs a declaration required under this Part or Part 5, or
 - (ii) gives a notice or certificate so required,knowing that the declaration, notice or certificate is false,
 - (b) for the purpose of a record being made in any register relating to civil partnerships, he—
 - (i) makes a statement as to any information which is required to be registered under this Part or Part 5, or
 - (ii) causes such a statement to be made,knowing that the statement is false,
 - (c) he forbids the issue of a document mentioned in subsection (2)(a) or (b) by representing himself to be a person whose consent to a civil partnership between a child and another person is required under this Part or Part 5, knowing the representation to be false, or
 - (d) with respect to a declaration made under paragraph 5(1) of Schedule 1 he makes a statement mentioned in paragraph 6 of that Schedule which he knows to be false in a material particular.
- (2) The documents are—

Status: Point in time view as at 05/12/2005.

Changes to legislation: Civil Partnership Act 2004, Chapter 6 is up to date with all changes known to be in force on or before 18 March 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)

- (a) a civil partnership schedule or a Registrar General’s licence under Chapter 1;
 - (b) a document required by an Order in Council under section 210 or 211 as an authority for two people to register as civil partners of each other;
 - (c) a certificate of no impediment under section 240.
- (3) A person guilty of an offence under subsection (1) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 7 years or to a fine (or both);
 - (b) on summary conviction, to a fine not exceeding the statutory maximum.
- (4) The Perjury Act 1911 (c. 6) has effect as if this section were contained in it.

81 Housing and tenancies

Schedule 8 amends certain enactments relating to housing and tenancies.

82 Family homes and domestic violence

Schedule 9 amends Part 4 of the Family Law Act 1996 (c. 27) and related enactments so that they apply in relation to civil partnerships as they apply in relation to marriages.

83 Fatal accidents claims

- (1) Amend the Fatal Accidents Act 1976 (c. 30) as follows.
- (2) In section 1(3) (meaning of “dependant” for purposes of right of action for wrongful act causing death), after paragraph (a) insert—
- “(aa) the civil partner or former civil partner of the deceased;”.
- (3) In paragraph (b)(iii) of section 1(3), after “wife” insert “ or civil partner ”.
- (4) After paragraph (f) of section 1(3) insert—
- “(fa) any person (not being a child of the deceased) who, in the case of any civil partnership in which the deceased was at any time a civil partner, was treated by the deceased as a child of the family in relation to that civil partnership;”.
- (5) After section 1(4) insert—
- “(4A) The reference to the former civil partner of the deceased in subsection (3) (aa) above includes a reference to a person whose civil partnership with the deceased has been annulled as well as a person whose civil partnership with the deceased has been dissolved.”
- (6) In section 1(5)(a), for “by affinity” substitute “ by marriage or civil partnership ”.
- (7) In section 1A(2) (persons for whose benefit claim for bereavement damages may be made)—
- (a) in paragraph (a), after “wife or husband” insert “ or civil partner ”, and
 - (b) in paragraph (b), after “was never married” insert “ or a civil partner ”.
- (8) In section 3 (assessment of damages), in subsection (4), after “wife” insert “ or civil partner ”.

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84 Evidence

- (1) Any enactment or rule of law relating to the giving of evidence by a spouse applies in relation to a civil partner as it applies in relation to the spouse.
- (2) Subsection (1) is subject to any specific amendment made by or under this Act which relates to the giving of evidence by a civil partner.
- (3) For the avoidance of doubt, in any such amendment, references to a person's civil partner do not include a former civil partner.
- (4) References in subsections (1) and (2) to giving evidence are to giving evidence in any way (whether by supplying information, making discovery, producing documents or otherwise).
- (5) Any rule of law—
 - (a) which is preserved by section 7(3) of the Civil Evidence Act 1995 (c. 38) or section 118(1) of the Criminal Justice Act 2003 (c. 44), and
 - (b) under which in any proceedings evidence of reputation or family tradition is admissible for the purpose of proving or disproving the existence of a marriage,is to be treated as applying in an equivalent way for the purpose of proving or disproving the existence of a civil partnership.

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