



Civil Partnership Act 2004

2004 CHAPTER 33

PART 4

CIVIL PARTNERSHIP: NORTHERN IRELAND

CHAPTER 6

MISCELLANEOUS

204 False statements etc. with reference to civil partnerships

- (1) Amend Article 8 of the Perjury (Northern Ireland) Order 1979 (S.I. 1979/1714 (N.I. 19)) (false statements etc. with reference to marriage) as follows.
- (2) After paragraph (1) insert—
 - “(1A) Any person who—
 - (a) for the purpose of procuring the formation of a civil partnership or a document mentioned in paragraph (1B)—
 - (i) makes or signs a declaration required under Part 4 or 5 of the Civil Partnership Act 2004; or
 - (ii) gives a notice or certificate required under Part 4 or 5 of the Civil Partnership Act 2004,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—
 - (i) makes a statement as to any information which is required to be registered under Part 4 or 5 of the Civil Partnership Act 2004; or
 - (ii) causes such a statement to be made,knowing that the statement is false;

Status: Point in time view as at 05/12/2005.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 02 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)

- (c) forbids the issue of a document mentioned in paragraph (1B)(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 Part 4 or 5 of the Civil Partnership Act 2004, knowing the representation to be false,

shall be guilty of an offence.

(1B) The documents are[en rule]

- (a) a civil partnership schedule;
- (b) a document required by an Order in Council under section 210 or 211 of the Civil Partnership Act 2004 as an authority for two people to register as civil partners of each other;
- (c) a certificate of no impediment under section 240 of the Civil Partnership Act 2004.”

(3) In paragraph (2), after “paragraph (1)” insert “ or (1A) ”.

(4) In the heading to Article 8, after “marriage” insert “ or civil partnership ”.

205 Housing and tenancies

Schedule 18 amends certain enactments relating to housing and tenancies.

206 Family homes and domestic violence

Schedule 19 amends the Family Homes and Domestic Violence (Northern Ireland) Order 1998 (S.I. 1998/1071 (N.I. 6)) and related enactments so that they apply in relation to civil partnerships as they apply in relation to marriages.

207 Fatal accidents claims

(1) Amend the Fatal Accidents (Northern Ireland) Order 1977 (S.I. 1977/1251 (N.I. 18)) as follows.

(2) In Article 2(2) (meaning of “dependant”), after sub-paragraph (a) insert—
 “(aa) the civil partner or former civil partner of the deceased;”.

(3) In sub-paragraph (b)(iii) of Article 2(2), after “wife” insert “ or civil partner ”.

(4) After sub-paragraph (f) of Article 2(2) 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 Article 2(2A) insert—

“(2B) The reference to the former civil partner of the deceased in paragraph (2)(aa) 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 Article 2(3)(b), for “by affinity” substitute “ by marriage or civil partnership ”.

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- (7) In Article 3A(2) (persons for whose benefit claim for bereavement damages may be made)—
- (a) in sub-paragraph (a), after “wife or husband” insert “ or civil partner ”, and
 - (b) in sub-paragraph (b), after “was never married” insert “ or a civil partner ”.
- (8) In Article 5 (assessment of damages), in paragraph (3A), after “wife” insert “ or civil partner ”.

208 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 Article 22(1) of the Criminal Justice (Evidence) (Northern Ireland) Order 2004 (S.I. 2004/1501 (N.I. 10)), 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.

209 Restriction on publicity of reports of proceedings

Section 1 of the Matrimonial Causes (Reports) Act (Northern Ireland) 1966 (c. 29 (N.I.)) (restriction on publication of reports of proceedings) shall extend to proceedings—

- (a) for the dissolution or annulment of a civil partnership or for the legal separation of civil partners,
- (b) under section 181,
- (c) under Part 8 of Schedule 15, or
- (d) under Part 10 of Schedule 15 in relation to an order under Part 8 of that Schedule.

Status:

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