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**Changes to legislation:** Civil Partnership Act 2004, Paragraph 16 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) View outstanding changes

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## SCHEDULES

### SCHEDULE 28

#### CONSEQUENTIAL AMENDMENTS: SCOTLAND

##### PART 2

###### AMENDMENTS OF THE FAMILY LAW (SCOTLAND) ACT 1985 (C. 37)

- 16 (1) Amend section 10 (sharing of value of matrimonial property) as follows.
- (2) In subsection (1)—
- (a) after “property” insert “ or partnership property ”, and
  - (b) for “the parties to the marriage” substitute “ persons ”.
- (3) In subsection (2)—
- (a) omit first “matrimonial”,
  - (b) for “the parties or either of them” substitute “ one or both of the parties to the marriage or as the case may be of the partners ”,
  - (c) in paragraph (a), after “property” insert “ or before the registration of the partnership so far as they relate to the partnership property ”, and
  - (d) in paragraph (b), at the end insert “ or partnership ”.
- (4) In subsection (3)—
- (a) in paragraph (a), for “parties” substitute “ persons ”, and
  - (b) in paragraph (b), at the end insert “ or for dissolution of the civil partnership ”.
- (5) After subsection (4) insert—
- “(4A) Subject to subsection (5) below, in this section and in section 11 of this Act “the partnership property” means all the property belonging to the partners or either of them at the relevant date which was acquired by them or by one of them (otherwise than by way of gift or succession from a third party)—
- (a) before the registration of the partnership for use by them as a family home or as furniture or plenishings for such a home, or
  - (b) during the partnership but before the relevant date.”
- (6) In subsection (5)—
- (a) for “party” (in each place) substitute “ person ”, and
  - (b) at the end insert “ or partnership property ”.
- (7) In subsection (6)—
- (a) in paragraph (a), for “parties” substitute “ persons ” and at the end insert “ or partnership property ”,

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- (b) in paragraph (b), after “property” insert “ or partnership property ”, for “parties” substitute “ persons ” and at the end insert “ or partnership ”,
- (c) in paragraph (c), for “party” substitute “ person ”,
- (d) in paragraph (d), after “property” insert “ or partnership property ” and for “matrimonial” substitute “ family ”, and
- (e) in paragraph (e), at the end insert “ or the dissolution of the civil partnership ”.

(8) In subsection (7), for “parties” (in both places) substitute “ persons ”.

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

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

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)