



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 2

#### CIVIL PARTNERSHIP: ENGLAND AND WALES

### CHAPTER 1

#### REGISTRATION

##### *Formation, eligibility and parental etc. consent*

### 3 Eligibility

- (1) Two people are not eligible to register as civil partners of each other if—
- <sup>F1</sup>(a) .....
  - (b) either of them is already a civil partner or lawfully married,
  - (c) either of them is under [<sup>F2</sup>18], or
  - (d) they are within prohibited degrees of relationship.
- (2) Part 1 of Schedule 1 contains provisions for determining when two people are within prohibited degrees of relationship.

#### Textual Amendments

- F1** S. 3(1)(a) omitted (2.12.2019) by virtue of [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), 4
- F2** Word in s. 3(1)(c) substituted (27.2.2023) by [Marriage and Civil Partnership \(Minimum Age\) Act 2022 \(c. 28\)](#), ss. 3(2), 7(1) (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)

**Changes to legislation:**

Civil Partnership Act 2004, Section 3 is up to date with all changes known to be in force on or before 14 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.

[View outstanding changes](#)

**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\(2\)](#)