

*Changes to legislation: There are currently no known outstanding effects for the Divorce,
Dissolution and Separation Act 2020, PART 2. (See end of Document for details)*

SCHEDULE

MINOR AND CONSEQUENTIAL AMENDMENTS

PART 2

AMENDMENTS TO THE CIVIL PARTNERSHIP ACT 2004

34 The Civil Partnership Act 2004 is amended as follows.

Commencement Information

I1 Sch. para. 34 in force at 6.4.2022 by S.I. 2022/283, reg. 2

35 In section 40 (proceedings before order has been made final), in subsection (4)—
(a) in paragraph (a), for “section 37(2)” substitute “ sections 37A(1) and 38(A1) ”;
(b) in paragraph (b) omit “in separation cases”.

Commencement Information

I2 Sch. para. 35 in force at 6.4.2022 by S.I. 2022/283, reg. 2

36 In section 41 (time bar on applications for dissolution orders), omit subsection (2).

Commencement Information

I3 Sch. para. 36 in force at 6.4.2022 by S.I. 2022/283, reg. 2

37 In section 42 (attempts at reconciliation of civil partners), in subsection (2), in the words before paragraph (a), for “the applicant to certify whether he” substitute “ an applicant to certify whether the representative ”.

Commencement Information

I4 Sch. para. 37 in force at 6.4.2022 by S.I. 2022/283, reg. 2

38 Omit section 45 (supplemental provisions as to facts raising presumption of breakdown).

Commencement Information

I5 Sch. para. 38 in force at 6.4.2022 by S.I. 2022/283, reg. 2

39 Omit section 46 (dissolution order not precluded by previous separation order etc).

Commencement Information

I6 Sch. para. 39 in force at 6.4.2022 by S.I. 2022/283, reg. 2

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- 40 Omit section 47 (refusal of dissolution in 5 year separation cases on ground of grave hardship).

Commencement Information

I7 Sch. para. 40 in force at 6.4.2022 by S.I. 2022/283, reg. 2

- 41 In section 48 (proceedings before order made final: protection for respondent in separation cases)—
- (a) in the heading omit “in separation cases”;
 - (b) omit subsection (1);
 - (c) for subsection (2) substitute—
 - “(2) Subsections (3) to (5) apply if—
 - (a) on an application for a dissolution order a conditional order has been made and—
 - (i) the conditional order is in favour of one civil partner only, or
 - (ii) the conditional order is in favour of both civil partners but one of them has since withdrawn from the application, and
 - (b) the respondent has applied to the court for consideration under subsection (3) of their financial position after the dissolution of the civil partnership.”

Commencement Information

I8 Sch. para. 41 in force at 6.4.2022 by S.I. 2022/283, reg. 2

- 42 Omit section 62 (relief for respondent in dissolution proceedings).

Commencement Information

I9 Sch. para. 42 in force at 6.4.2022 by S.I. 2022/283, reg. 2

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