



# Divorce, Dissolution and Separation Act 2020

## 2020 CHAPTER 11

### *Civil partnership: dissolution and separation*

#### **3 Dissolution: removal of requirement to establish facts**

(1) Section 44 of the Civil Partnership Act 2004 (dissolution of civil partnership which has broken down irretrievably) is amended as follows.

(2) In subsection (1), for “either civil partner” substitute “either or both civil partners”.

(3) After subsection (1) insert—

“(1A) An application under subsection (1) must be accompanied by a statement by the applicant or applicants that the civil partnership has broken down irretrievably.”

(4) Omit subsections (2) and (3).

(5) For subsection (4) substitute—

“(4) The court dealing with an application under subsection (1) must—

- (a) take the statement to be conclusive evidence that the civil partnership has broken down irretrievably, and
- (b) make a dissolution order.”

(6) Omit subsection (5).

(7) At the end insert—

“(6) Without prejudice to the generality of section 75 of the Courts Act 2003, Family Procedure Rules may make provision as to the procedure for an application under subsection (1) by both civil partners to become an application by one civil partner only (including provision for a statement made under subsection (1A) in connection with the application to be treated as made by one civil partner only).”