

SCHEDULE 13

Article 2(13)

AMENDMENTS TO SUBORDINATE LEGISLATION
RELATING TO IMMIGRATION AND NATIONALITY

PART 1

IMMIGRATION

Asylum Support (Interim Provisions) Regulations 1999

1. In regulation 2 of the Asylum Support (Interim Provisions) Regulations 1999 ^{M1}—
 - (a) in paragraph (1)(a), after “is his spouse” insert “ or civil partner ”;
 - (b) in paragraph (1)(b), after “or of his spouse” insert “ or civil partner ”;
 - (c) in paragraph (1)(c), after “or his spouse's” insert “ or civil partner's ”; and
 - (d) after paragraph (1)(f) insert—
 - “(ff) had been living with him as a member of a same-sex couple for at least two of the three years before the day on which his claim for support was made;”.

Marginal Citations

M1 S.I. 1999/3056, to which there are amendments not relevant to this Order.

Asylum Support Regulations 2000

- 2.—(1) Amend the Asylum Support Regulations 2000 ^{M2} as follows.
- (2) In regulation 2(1)—
 - (a) after the definition of “asylum support” insert “ “civil partnership couple” means two people of the same sex who are civil partners of each other and who are members of the same household; ”; and
 - (b) after the definition of “married couple” insert “ “same-sex couple” means two people of the same sex who, though not civil partners of each other, are living together as if they were; ”.
- (3) In regulation 2(4)—
 - (a) in sub-paragraph (a), after “is his spouse” insert “ or civil partner ”;
 - (b) in sub-paragraph (b), after “is a child of his or of his spouse” insert “ or civil partner ”;
 - (c) in sub-paragraph (c), after “his spouse's” insert “ or civil partner's ”; and
 - (d) after sub-paragraph (f) insert—
 - “(fa) had been living with him as a member of a same-sex couple for at least two of the three years before the relevant time;”.
- (4) In regulation 10(4)—
 - (a) for sub-paragraph (a) substitute—
 - “(a) “qualifying couple” means a married couple, an unmarried couple, a civil partnership couple or a same-sex couple, at least one of whom is aged 18 or over and neither of whom is aged under 16;”;

Changes to legislation: There are currently no known outstanding effects for the The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005, SCHEDULE 13. (See end of Document for details)

- (b) for sub-paragraph (b) substitute—
 - “(b) “lone parent” means a parent who is not a member of a married couple, an unmarried couple, a civil partnership couple or a same-sex couple;”
- (5) In regulation 15(2)—
 - (a) after sub-paragraph (f) insert:
 - “(fa) forms a civil partnership;”;
 - (b) after sub-paragraph (g) insert:
 - “(ga) starts living with a person as if a civil partner of that person;”;
 - (c) after sub-paragraph (h) insert:
 - “(ha) becomes a former civil partner on the dissolution of his civil partnership;”;
 - (d) after sub-paragraph (i) insert:
 - “(ia) separates from his civil partner or from the person with whom he has been living as if a civil partner of that person;”.

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Marginal Citations
M2 [S.I. 2000/704](#), to which there are amendments not relevant to this Order.

Withholding and Withdrawal of Support (Travel Assistance and Temporary Accommodation) Regulations 2002

- 3. In regulation 2 of the Withholding and Withdrawal of Support (Travel Assistance and Temporary Accommodation) Regulations 2002 ^{M3}—
 - (a) in paragraph (2)(a), after “his spouse” insert “ or his civil partner ”;
 - (b) in paragraph (2)(b), after “his spouse” insert “ or of his civil partner ”;
 - (c) in paragraph (2)(c), after “his spouse's” insert “ or his civil partner's ”;
 - (d) in paragraph (2)(f), for “an unmarried couple” substitute “ a couple ”; and
 - (e) in paragraph (3), for the definition of “unmarried couple” substitute—
 - ““couple” means a man and woman who are not married to each other but are living together as if they are, or, two people of the same sex who are not civil partners of each other but are living together as if they are.”.

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Marginal Citations
M3 [S.I. 2002/3078](#).

PART 2
NATIONALITY

British Nationality (Dependent Territories) Regulations 1982

^{F14}4.

Textual Amendments

- F1** Sch. 13 Pt. 2 para. 4 revoked (3.12.2007) by [The British Nationality \(British Overseas Territories\) Regulations 2007 \(S.I. 2007/3139\)](#), regs. 1, **12(d)**

The British Nationality (General) Regulations 2003

- 5.—(1) Amend the British Nationality (General) Regulations 2003 ^{M4} as follows.
- (2) In Schedule 2—
- (a) in paragraph 14(1)(a), after “is married to” insert “, or is the civil partner of, ”;
 - (b) in paragraph 14(3), after “marriage to” insert “ or civil partnership with ”; and
 - (c) in paragraph 16(b), after “has been married to” insert “, or has been the civil partner of, ”.
- (3) In Schedule 5, in paragraph 2(b), after “has been married” insert “ or has been a civil partner”.

Marginal Citations

- M4** [S.I. 2003/548](#), to which there are amendments not relevant to this Order.

The British Nationality (Fees) Regulations 2003

6. In regulation 5(1) of the British Nationality (Fees) Regulations 2003 ^{M5}, for “a husband and wife” substitute “ either a husband and wife, or two people who are civil partners of each other, ”.

Marginal Citations

- M5** [S.I. 2003/3157](#), to which there are amendments not relevant to this Order.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Partnership Act 2004 (Amendments to Subordinate Legislation) Order 2005, SCHEDULE 13.