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STATUTORY INSTRUMENTS

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**2019 No. 1514**

**The Marriage (Same-sex Couples) and Civil Partnership  
(Opposite-sex Couples) (Northern Ireland) Regulations 2019**

**PART 11**

**Transitional Provision: Opposite-sex Civil Partnerships: Overseas Relationships**

**Overseas relationship dissolved etc before 13th January 2020: treatment as civil partnership**

**170.** The following provisions are specified for the purposes of section 215(5H)(b) of CPA 2004(1)—

- (a) the Fatal Accidents (Northern Ireland) Order 1977(2);
- (b) the Inheritance (Provision for Family and Dependants) (Northern Ireland) Order 1979(3);
- (c) in the case of a marriage solemnised on or after 13th January 2020, Article 18 (prohibited degrees of relationship) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984(4);
- (d) in the case of a bankruptcy where the bankruptcy order was made on or after 13th January 2020, the following provisions of the Insolvency (Northern Ireland) Order 1989(5)—
  - (i) Article 256A (bankrupt’s home ceasing to form part of estate),
  - (ii) Article 286 (charge on bankrupt’s home),
  - (iii) Article 286A (low value home: application for sale, possession or charge),
  - (iv) Article 305 (saving for bankrupt’s home), and
  - (v) Article 337 (inquiry into bankrupt’s dealings and property);
- (e) Schedule 1 to the Children (Northern Ireland) Order 1995(6) (financial provision for children);
- (f) the following provisions of the Family Homes and Domestic Violence (Northern Ireland) Order 1998(7)—
  - (i) Article 11 (occupation orders where applicant has estate etc or has home rights),
  - (ii) Article 13 (one former spouse or former civil partner with no existing right to occupy),

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(1) Section 215(5H) is inserted by these Regulations.

(2) S.I. 1977/1251 (N.I. 18).

(3) S.I. 1979/924 (N.I. 8).

(4) S.I. 1984/1984 (N.I. 14). Article 18 was amended by S.I. 1993/1576 (N.I. 6), the Civil Partnership Act 2004, and S.I. 2006/1945 (N.I. 14).

(5) S.I. 1989/2405 (N.I. 19). Articles 256A and 286A were inserted by Article 17, and amended by Article 18, of S.I. 2005/1455 (N.I. 10). Articles 286, 305 and 337 were amended by the Civil Partnership Act 2004 and (in the case of Article 286) by S.I. 2005/1455 (N.I. 10).

(6) S.I. 1995/755 (N.I. 2).

(7) S.I. 1998/1071 (N.I. 6). Articles 11, 13 and 15 and Schedule 2 were amended by Schedule 19 to the Civil Partnership Act 2004 and (in the case of Schedule 2) further relevant amendments were made by S.I. 2005/1452 (N.I. 7).

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**Changes to legislation:** There are currently no known outstanding effects for the *The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, Section 170. (See end of Document for details)*

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- (iii) Article 15 (neither spouse or civil partner entitled to occupy), and
- (iv) Schedule 2 (transfer of certain tenancies on divorce etc or on separation of cohabitants);
- (g) in the case of a notice of marriage given on or after 13th January 2020, marriage notices prescribed by the Marriage Regulations (Northern Ireland) 2003<sup>(8)</sup> under Article 3 (notice of intention to marry) of the Marriage (Northern Ireland) Order 2003<sup>(9)</sup>;
- (h) in the case of a marriage solemnised on or after 13th January 2020, Article 5<sup>(10)</sup> (power to require evidence) of the Marriage (Northern Ireland) Order 2003; and
- (i) the following provisions of CPA 2004—
  - (i) section 141 (power to require evidence of name etc),
  - (ii) section 193 (applications under section 191 by former civil partners), and
  - (iii) Schedule 12 (prohibited degrees of relationship).

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**Commencement Information**

**II** Reg. 170 in force at 13.1.2020, see [reg. 1\(2\)](#)

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<sup>(8)</sup> S.R. (N.I.) 2003/468. Relevant amendments are made by these Regulations.

<sup>(9)</sup> S.I. 2003/413 (N.I. 3).

<sup>(10)</sup> Article 5 was amended by the Civil Partnership Act 2004.

**Changes to legislation:**

There are currently no known outstanding effects for the The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, Section 170.