

*These notes refer to the Civil Partnership Act 2004 (c.33)
which received Royal Assent on 18th November 2004*

CIVIL PARTNERSHIP ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedules

Schedule 27 - Minor and consequential amendments

Paragraphs 133 and 134 - Local Government and Housing Act 1989 (c. 42)

1024. Section 19 of the Local Government and Housing Act 1989 is linked to the regime imposed by the Local Government Act 1972 regarding the registration and declaration of pecuniary interests of members of local authorities, and certain other bodies, including Transport for London. The regime established by the 1972 Act no longer applies to local authorities, having been replaced by a new regime for the regulation of conduct and ethical standards of members of local authorities introduced by the Local Government Act 2000. However, the new regime does not apply to members of Transport for London, who continue to be subject to the 1972 Act and to the related provisions in the Local Government and Housing Act 1989.
1025. Section 19 of the 1989 Act gives the Secretary of State powers to make regulations regarding the interests, including the indirect pecuniary interests, of members of local authorities (including members of Transport for London). The definition of an indirect pecuniary interest in [section 19\(7\)](#) includes an interest which may arise through a member's spouse. [Paragraph 133](#) amends [section 19](#) to provide that an indirect pecuniary interest arising through a member's civil partner will be treated in the same way as one arising through a member's spouse.
1026. Section 69 of the 1989 Act sets out the circumstances in which a company can be said to be under the influence of a local authority. In order to determine this, it may be necessary to establish whether a person is associated with the local authority. Subsection (5) sets out how a person may be associated with a local authority. Subsection (6) gives the Secretary of State power to provide by order that a person may also be associated with a local authority if he or she is at that time the spouse of, or carries on business in partnership with, a person who is associated with the authority by virtue of subsection (5)(a) (he or she is a member of the authority). [Paragraph 134](#) amends section 69 to insert a reference to civil partner to ensure civil partners are treated in the same way as spouses.