



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 1

REGISTRATION

The procedures for house-bound and detained persons

18 House-bound persons

- (1) This section applies if two people wish to register as civil partners of each other at the place where one of them is house-bound.
- (2) A person is house-bound at any place if, in relation to that person, a statement is made by a registered medical practitioner that, in his opinion—
 - (a) because of illness or disability, that person ought not to move or be moved from the place where he is at the time when the statement is made, and
 - (b) it is likely to be the case for at least the following 3 months that because of the illness or disability that person ought not to move or be moved from that place.
- (3) The procedure under which the two people concerned may register as civil partners of each other is the same as the standard procedure, except that—
 - (a) each notice of proposed civil partnership must be accompanied by a statement under subsection (2) (“a medical statement”), which must have been made not more than 14 days before the day on which the notice is recorded,
 - (b) the fact that the registration authority to whom the notice is given has received the medical statement must be recorded in the register, and
 - (c) the applicable period (for the purposes of section 17) is the period of 3 months beginning with—

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- (i) the day on which the notices of proposed civil partnership are recorded, or
 - (ii) if the notices are not recorded on the same day, the earlier of those days.
- (4) A medical statement must contain such information and must be made in such manner as may be prescribed by regulations.
- (5) A medical statement may not be made in relation to a person who is detained as described in section 19(2).
- (6) For the purposes of this Chapter, a person in relation to whom a medical statement is made is to be treated, if he would not otherwise be so treated, as resident and usually resident at the place where he is for the time being.

19 Detained persons

- (1) This section applies if two people wish to register as civil partners of each other at the place where one of them is detained.
- (2) “Detained” means detained—
- (a) as a patient in a hospital (but otherwise than by virtue of section 2, 4, 5, 35, 36 or 136 of the Mental Health Act 1983 (c. 20) (short term detentions)), or
 - (b) in a prison or other place to which the Prison Act 1952 (c. 52) applies.
- (3) The procedure under which the two people concerned may register as civil partners of each other is the same as the standard procedure, except that—
- (a) each notice of proposed civil partnership must be accompanied by a supporting statement, which must have been made not more than 21 days before the day on which the notice is recorded,
 - (b) the fact that the registration authority to whom the notice is given has received the supporting statement must be recorded in the register, and
 - (c) the applicable period (for the purposes of section 17) is the period of 3 months beginning with—
 - (i) the day on which the notices of proposed civil partnership are recorded, or
 - (ii) if the notices are not recorded on the same day, the earlier of those days.
- (4) A supporting statement, in relation to a detained person, is a statement made by the responsible authority which—
- (a) identifies the establishment where the person is detained, and
 - (b) states that the responsible authority has no objection to that establishment being specified in a notice of proposed civil partnership as the place at which the person is to register as a civil partner.
- (5) A supporting statement must contain such information and must be made in such manner as may be prescribed by regulations.
- (6) “The responsible authority” means—
- (a) if the person is detained in a hospital, the hospital’s managers;

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- (b) if the person is detained in a prison or other place to which the 1952 Act applies, the governor or other officer for the time being in charge of that prison or other place.
- (7) “Patient” and “hospital” have the same meaning as in Part 2 of the 1983 Act and “managers”, in relation to a hospital, has the same meaning as in section 145(1) of the 1983 Act.
- (8) For the purposes of this Chapter, a detained person is to be treated, if he would not otherwise be so treated, as resident and usually resident at the place where he is for the time being.