

*Status: Point in time view as at 27/09/2017.*

*Changes to legislation: Civil Partnership Act 2004, Part 6 is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 24

#### SOCIAL SECURITY, CHILD SUPPORT AND TAX CREDITS

#### PART 6

##### AMENDMENTS OF THE SOCIAL SECURITY ADMINISTRATION (NORTHERN IRELAND) ACT 1992 (C. 8)

- 107 In section 2AA (full entitlement to certain benefits conditional on work-focused interview for partner), in subsection (7), for the definition of “couple” substitute—  
““couple” has the meaning given by section 133(1) of the Contributions and Benefits Act;”.
- 108 In section 3 (late claims for bereavement benefit where death is difficult to establish)  
—  
(a) after “spouse” (in each place) insert “ or civil partner ”, and  
(b) after “spouse's” (in each place) insert “ or civil partner's ”.
- 109 (1) Amend section 13A (payment out of benefit of sums in respect of mortgage interest etc.) as follows.  
(2) In subsection (4)—  
(a) in paragraph (a) of the definition of “partner”, for “to whom the borrower is married” substitute “ who is married to, or a civil partner of, the borrower ”, and  
(b) in paragraph (b) of that definition, for “to whom the borrower is not married but who lives together with the borrower as husband and wife” substitute “ who is neither married to, nor a civil partner of, the borrower but who lives together with the borrower as husband and wife or as if they were civil partners ”.  
(3) After subsection (4A) insert—  
“(4B) For the purposes of this section, two people of the same sex are to be regarded as living together as if they were civil partners if, but only if, they would be regarded as living together as husband and wife were they instead two people of the opposite sex.”
- 110 (1) Amend section 69 (overpayments – general) as follows.  
(2) In subsection (9), for “married or unmarried couple” substitute “ couple ”.  
(3) After subsection (11) insert—  
“(12) In this section, “couple” has the meaning given by section 133(1) of the Contributions and Benefits Act.”

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- 111 In section 71 (overlapping benefits – general), in subsections (2)(b) and (d) and (5) (b) and (d), for “wife or husband” substitute “ wife, husband or civil partner ”.
- 112 In section 72A (payment of benefit where maintenance payments collected by Department), in subsection (5)—
- (a) after the definition of “child maintenance” insert—
- ““couple” has the meaning given by section 133(1) of the Contributions and Benefits Act;”,
- (b) in the definition of “family”, for “married or unmarried couple” (in each place) substitute “ couple ”, and
- (c) omit the definitions of “married couple” and “unmarried couple”.
- 113 (1) Amend section 74 (recovery of social fund awards) as follows.
- (2) In subsection (3)(b), for “married or unmarried couple” substitute “ couple ”.
- (3) For subsection (5) substitute—
- “(5) In this section, “couple” has the meaning given by section 133(1) of the Contributions and Benefits Act.”
- (4) In subsection (6)—
- (a) in paragraph (a), after “wife” insert “ or civil partner ”, and
- (b) in paragraph (b), after “husband” insert “ or civil partner ”.
- 114 In section 100 (failure to maintain – general), in subsection (4), after “spouse” insert “ or civil partner ”.
- 115 In section 102 (recovery of expenditure on income support: additional amounts and transfer of orders), in subsection (1)(b), after “wife” insert “ or civil partner ”.
- 116 In section 103B (power to require information), in subsection (5)(a), for “married, his spouse” substitute “ married or is a civil partner, his spouse or civil partner ”.
- 117 In section 136 (up-rating under section 132 of pensions increased under section 52(3) of the Contributions and Benefits Act)—
- (a) in subsection (1), after “spouse” insert “ or civil partner ”, and
- (b) in subsections (2) and (3), after “spouse's” (in each place) insert “ or civil partner's ”.

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