
STATUTORY INSTRUMENTS

2005 No. 3137

CIVIL PARTNERSHIP

The Civil Partnership Act 2004 (Relationships Arising Through Civil Partnership) Order 2005

Made - - - - *9th November 2005*
Laid before Parliament *11th November 2005*
Coming into force - - *5th December 2005*

The Secretary of State, in exercise of the power conferred by section 247 of the Civil Partnership Act 2004(1), makes the following Order:

Citation and commencement

1. This Order may be cited as the Civil Partnership Act 2004 (Relationships Arising Through Civil Partnership) Order 2005 and comes into force on 5th December 2005.

Amendment of Schedule 21 to the Civil Partnership Act 2004

2. In Schedule 21 to the Civil Partnership Act 2004 (references to stepchildren etc. in existing Acts)—

(a) after paragraph 2 insert—

“**2A.** Section 4(3) of the Workmen’s Compensation Act 1925 (c. 84) (Member of a family)(2).”;

(b) after paragraph 15 insert—

“**15A.** Section 11(6) of the Inheritance Tax Act 1984 (c. 51) (dispositions for maintenance of family).

15B. Section 22(2) of that Act (gifts in consideration of marriage).

15C. Section 71(8) of that Act (accumulation and maintenance trusts).”;

(c) after paragraph 22 insert—

“**22A.** Section 743(b) of that Act (“employees' share scheme”).”;

(1) 2004 c. 33.

(2) The Workmen’s Compensation Act was repealed with savings by the National Insurance (Industrial Injuries) Act 1946 (c. 62) section 89 and Schedule 9, the Industrial Injuries and Diseases (Old Cases) Act 1975 (c. 16) section 1 and the Social Security (Consequential Provisions) Act 1992 (c. 6) section 3 and Schedules 1 and 3.

(d) after paragraph 31 insert—

“**31A.** Paragraph 2(5) of Schedule 14 to the Income and Corporation Taxes Act 1988 (c. 1) (life assurance premiums payable to friendly societies and industrial assurance companies).”;

(e) after paragraph 35 insert—

“**35A.** Paragraphs 2(7), 2A(10)(3) and 9(11) of Schedule 5 to the Taxation of Chargeable Gains Act 1992 (c. 12) (attribution of gains to settlors with interest in non-resident or dual resident settlement).”;

(f) after paragraph 49 insert—

“**49A.** Section 80(4A) of the Care Standards Act 2000 (c. 14) (basic definitions)(4).”;
and

(g) after paragraph 53 insert—

“**54.** Section 242(2) of the Income Tax (Earnings and Pensions) Act 2003 (c. 1) (works transport services).

55. Section 270A(3)(a) of that Act (limited exemption for qualifying childcare vouchers)(5).

56. Section 318(3) of that Act (childcare: exemption for employer-provided care)(6).

57. Section 318A(3) of that Act (childcare: limited exemption for other care)(7).

58. Section 318C(8) of that Act (childcare: meaning of “qualifying child care”)(8).

59. Section 371(7) of that Act (travel costs and expenses where duties performed abroad: visiting spouse’s or child’s travel).

60. Section 374(9) of that Act (non-domiciled employee’s spouse’s or child’s travel costs and expenses where duties performed in UK).

61. Section 27(3)(a) and (c) of the Sexual Offences Act 2003 (c. 42) (family relationships).

62. Section 27(4) of the Human Tissue Act 2004 (c. 30) (provision with respect to consent).

63. Section 54(9) of that Act (general interpretation).”.

References to stepchildren etc. in existing subordinate legislation

3.—(1) Section 246 of the Civil Partnership Act 2004 (interpretation of statutory references to stepchildren etc.) applies to the provisions of existing subordinate legislation listed in the Schedule.

(2) The application of section 246 of the Civil Partnership Act 2004 to the provisions in the Regulations set out in paragraphs 24 and 44 of the Schedule applies to those Regulations as modified in their application to persons to whom regulations 2(1) and 12(1) of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003(9) apply and to those Regulations as not so modified.

(3) Paragraph 2A was inserted by section 131 of, and paragraph 2 of Schedule 22 to, the Finance Act 1998 (c. 36).

(4) Subsection (4A) was inserted in section 80 of the Care Standards Act 2000 by regulation 2(4) of the Care Standards Act 2000 (Extension of Protection of Vulnerable Adults Scheme) Regulations 2004 (S.I.2004/2070).

(5) Section 270A was inserted by section 78 of, and paragraph 3 of Schedule 13 to, the Finance Act 2004 (c. 12).

(6) Section 318 was substituted by section 78 of, and paragraph 1 of Schedule 13 to, the Finance Act 2004.

(7) Section 318A was inserted by section 78 of, and paragraph 1 of Schedule 13 to, the Finance Act 2004.

(8) Section 318C was inserted by section 78 of, and paragraph 1 of Schedule 13 to, the Finance Act 2004.

(9) S.I. 2003/325; there are amending instruments but none is relevant.

(3) The application of section 246 of the Civil Partnership Act 2004 to the provisions in the Regulations set out in paragraphs 27 and 47 of the Schedule applies to those Regulations as modified in their application to persons to whom regulations 2(1) and 12(1) of the Housing Benefit and Council Tax Benefit (State Pension Credit) Regulations 2003⁽¹⁰⁾ apply.

9th November 2005

Meg Munn
Parliamentary Under Secretary of State for
Women and Equality,
Department of Trade and Industry

⁽¹⁰⁾ S.I. [2003/325](#); there are amending instruments but none is relevant.

SCHEDULE

Article 3

REFERENCES TO STEPCHILDREN ETC. IN EXISTING SUBORDINATE LEGISLATION

1. Regulation 2 of the Industrial Assurance (Premium Receipt Books) Regulations 1948(11) (entries).
2. Paragraph 2 of Part II (employments not to be treated as employed earners' employments for industrial injuries purposes) of Schedule 1 to the Social Security (Employed Earners' Employment for Industrial Injuries Purposes) Regulations 1975(12).
3. The definition of "member of the family of a serving member of the forces" in regulation 2(5) (b) of the Social Security Benefit (Persons Abroad) Regulations 1975(13) (modification of the Act in relation to incapacity benefit, severe disablement allowance, unemployability supplement and maternity allowance).
4. Regulation 9(3)(c) of the Social Security (Invalid Care Allowance) Regulations 1976(14) (conditions relating to residence and presence in Great Britain).
5. The definition of "relative" in paragraph 17 of Schedule 3 to the Local Authorities Cemeteries Order 1977(15) (interpretation).
6. Paragraph 7 in Column A of Schedule 1 to the Social Security (Categorisation of Earners) Regulations (Northern Ireland) 1978(16).
7. The definition of "child" in articles 222(2) and 222(4) of section 14 of Part 4 (Family Pensions and Gratuities) of the Schedule to the Army Pensions Warrant 1977(17).
8. Articles 223(c), 224(b), 242(b) and 253(b)(2) of section 14 of Part 4 of the Schedule to that Warrant.
9. The definition of "adult dependant" in article 2(3) of the Personal Injuries (Civilians) Scheme 1983(18).
10. The definition of "dependant child" in article 2(7) of that Scheme.
11. The definition of a "father" in article 2(11) of that Scheme.
12. The definition of an "other dependant" in article 2(15) of that Scheme.
13. Article 3(9) of that Scheme (Interpretation).
14. Article 39(7) of that Scheme (War Injuries sustained by children).
15. Article 1(7)(b) of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 1983(19) (Citation, commencement and interpretation).
16. The definition of "adult dependant" in paragraph 16 of Schedule 4 to that Order.
17. The definition of a "child" in paragraph 19 of Schedule 4 to that Order.
18. The definition of an "other dependant" in paragraph 38 of Schedule 4 to that Order.

(11) S.I. 1948/2770, to which there are amendments not relevant to this Order.

(12) S.I. 1975/467, to which there are amendments not relevant to this Order.

(13) S.I. 1975/563; relevant amending instruments are S.I. 1984/1303, S.I. 1994/268, S.I. 1995/829.

(14) S.I. 1976/409, amended by S.I. 1977/342; there are other amending instruments but none is relevant.

(15) S.I. 1977/204.

(16) S.R. 1978 No. 401, to which there are amendments not relevant to this Order.

(17) A copy of which is available from Her Majesty's Stationery Office.

(18) S.I. 1983/686. The definition of a dependant child in article 2 was substituted by SI2001/420 article 2(1), Schedule 1, paragraph 1(2).

(19) S.I. 1983/883. The definition of a "child" was substituted by paragraph 25(b) of Schedule 1 to S.I. 2001/409.

19. Regulation 2(2) of the Social Security (Severe Disablement Allowance) Regulations 1984**(20)**.

20. The definition of “child” in article 5(6) of the Building Societies Act 1986 (Powers and Miscellaneous Transitional Provisions) Order 1986**(21)** (residential use and prescribed dependants).

21. The definition of “close relative” in regulation 2(1) of the Income Support (General) Regulations 1987**(22)** (interpretation).

22. Paragraphs 39(4)(b)(i) and (ii) and 39(5)(b)(i) and (ii) of Schedule 9 to those Regulations (sums to be disregarded in the calculation of income other than earnings).

23. Paragraphs 22(4)(b)(i) and (ii) and 22(5)(b)(i) and (ii) of Schedule 10 to those Regulations (capital to be disregarded).

24. The definition of “close relative” in regulation 2(1) of the Housing Benefit (General) Regulations 1987**(23)** (interpretation).

25. Paragraphs 34(4)(b)(i) and (ii) and 34(5)(b)(i) and (ii) of Schedule 4 to those Regulations (sums to be disregarded in the calculation of income other than earnings).

26. Paragraphs 23(4)(b)(i) and (ii) and 23(5)(b)(i) and (ii) of Schedule 5 to those Regulations (capital to be disregarded).

27. Paragraphs 16(4)(b)(i) and (ii) and 16(5)(b)(i) and (ii) of Schedule 5ZA to those Regulations (Part I: capital to be disregarded).

28. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1988**(24)**.

29. Article 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

30. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule VIII (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1989**(25)**.

31. Article 15(b) of section II of Schedule VIII (Family Pensions and Gratuities) to that Order.

32. The definition of “son or daughter” in regulation 2(1) of the Income Tax (Building Societies) (Dividends and Interest) Regulations 1990**(26)** (interpretation).

33. The definition of “son or daughter” in regulation 2 of the Income Tax (Deposit-takers) (Interest Payments) Regulations 1990**(27)** (interpretation).

34. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1990**(28)**.

35. Article 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

(20) S.I. 1984/1303, to which there are amendments not relevant to this Order.

(21) S.I. 1986/2169, to which there are amendments not relevant to this Order.

(22) S.I. 1987/1967, amended by S.I. 2005/2877; there are other amending instruments but none is relevant.

(23) S.I. 1987/1971; relevant amending instruments are S.I. 1992/1101, S.I. 2003/325 and S.I. 2004/1141; there are other amending instruments but none is relevant.

(24) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(25) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(26) S.I. 1990/2231.

(27) S.I. 1990/2232.

(28) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

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36. Regulation 2(2)(c) of the Social Security (Attendance Allowance) Regulations 1991(**29**) (conditions as to residence and presence in Great Britain).

37. Regulation 2(2)(c) of the Social Security (Disability Living Allowance) Regulations 1991(**30**) (conditions as to residence and presence in Great Britain).

38. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1991(**31**).

39. Article 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

40. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) of the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) (No. 2) Order 1991(**32**).

41. Article 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

42. Paragraph (1)(b) of rule D5 (child’s allowance or special gratuity - limitations) of the Firefighters' Pension Scheme(**33**), set out in Schedule 2 to the Firemens' Pension Scheme Order 1992(**34**).

43. The definition of “child” in Part 1 (glossary of expressions) of Schedule 1 (interpretation) to the Firefighters' Pension Scheme, set out in Schedule 2 to that Order.

44. The definition of “close relative” in regulation 2(1) of the Council Tax Benefit (General) Regulations 1992(**35**) (interpretation).

45. Paragraphs 35(4)(b)(i) and (ii) and 35(5)(b)(i) and (ii) of Schedule 4 to those Regulations (sums to be disregarded in the calculation of income other than earnings).

46. Paragraphs 23(4)(b)(i) and (ii) and 23(5)(b)(i) and (ii) of Schedule 5 to those Regulations (capital to be disregarded).

47. Paragraphs 16(4)(b)(i) and (ii) and 16(5)(b)(i) and (ii) of Schedule 5ZA to those Regulations (Part I: capital to be disregarded).

48. The definition of “close relative” in paragraph 7 of Schedule 3 to the Child Support (Maintenance Assessments and Special Cases) Regulations 1992(**36**) (eligible housing costs).

49. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1992(**37**).

50. Article 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

51. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1993(**38**).

(29) S.I. 1991/2740, to which there are amendments not relevant to this Order.

(30) S.I. 1991/2890, to which there are amendments not relevant to this Order.

(31) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(32) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(33) The name of the scheme was changed to the Firefighters' Pension Scheme by article 4(1) of the Firefighters' Pension Scheme (England and Scotland) Order 2004 (S.I. 2004/2306).

(34) S.I. 1992/129, to which there are amendments not relevant to this Order.

(35) S.I. 1992/1814; relevant amending instruments are S.I. 2003/325 and S.I. 2004/1141; there are other amending instruments but none is relevant.

(36) S.I. 1992/1815, there are amending instruments but none is relevant.

(37) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(38) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

52. Articles 14(e) and 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

53. Regulation 16(4)(a) of the Social Security (Incapacity Benefit) Regulations 1994(**39**) (conditions relating to residence or presence).

54. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1994(**40**).

55. Articles 14(e) and 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

56. The definition of “dependent child” in regulation H1 of the National Health Service Pension Scheme Regulations 1995(**41**) (dependent child).

57. The definition of “close relative” in regulation 2(1) of the Social Security (Incapacity for Work) (General) Regulations 1995(**42**) (interpretation).

58. Regulation H1 of the National Health Service Superannuation Scheme (Scotland) Regulations 1995(**43**) (dependent child).

59. The definition of “dependent child” in regulation 8(2) of the National Health Service (Injury Benefits) Regulations 1995(**44**) (child’s allowance).

60. Regulation 9(6) of those Regulations (dependent relative’s allowance).

61. The definition of “close relative” in regulation 1(3) of the Jobseeker’s Allowance Regulations 1996(**45**) (interpretation).

62. The definition of “close relative” in regulation 4 of those Regulations (interpretation of Parts 2, 4 and 5).

63. Paragraphs 41(4)(b)(i) and (ii) and 41(5)(b)(i) and (ii) of Schedule 7 to those Regulations (sums to be disregarded in the calculation of income other than earnings).

64. Paragraphs 27(4)(b)(i) and (ii) and 27(5)(b)(i) and (ii) of Schedule 8 to those Regulations (capital to be disregarded).

65. The definition of “close relative” in regulation 2(1) of the Social Security Benefit (Computation of Earnings) Regulations (Northern Ireland) 1996(**46**) (interpretation).

66. The definition of “close relative” in regulation 2(1) of the Social Security Benefit (Computation of Earnings) Regulations 1996(**47**) (interpretation).

67. The definition of “close relative” in regulation 2(1) of the Housing Renewal Grants Regulations 1996(**48**) (interpretation).

68. Paragraph 32(4)(b) and (5)(b) of Schedule 3 to those Regulations (sums to be disregarded in the calculation of income other than earnings).

69. Paragraph 24(4)(b) and (5)(b) of Schedule 4 to those Regulations (capital to be disregarded).

(39) S.I. 1994/2946, amended by S.I. 2005/2877; there are other amending instruments but none is relevant.

(40) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(41) S.I. 1995/300, to which there are amendments not relevant to this Order.

(42) S.I. 1995/311, amended by S.I. 2005/2877; there are other amending instruments but none is relevant.

(43) S.I. 1995/365, to which there are amendments not relevant to this Order.

(44) S.I. 1995/866, to which there are amendments not relevant to this Order.

(45) S.I. 1996/207, amended by S.I. 2005/2877; there are other amending instruments but none is relevant.

(46) S.R. 1996 No. 520 amended by S.I. 2005/2919.

(47) S.I. 1996/2745, amended by S.I. 2005/2919; there are other amending instruments but none is relevant.

(48) S.I. 1996/2890. Regulation 2 has been amended by a number of instruments but none is relevant.

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70. The definition of “Relative” in Note 91 in the Schedule to the Housing Renewal Grants (Prescribed Form and Particulars) Regulations 1996**(49)**.

71. Regulation 7(2) of the Social Security (Child Maintenance Bonus) Regulations 1996**(50)** (death of a person with care of a child).

72. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1996**(51)**.

73. Articles 14(e) and 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

74. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) (No. 2) Order 1996**(52)**.

75. Articles 14(f) and 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

76. Article 20 of section III of Schedule IX (Family Pensions and Gratuities) to that Order.

77. Article 34(b) of section V of Schedule IX (Family Pensions and Gratuities) to that Order.

78. The definition of “refugee” in regulation 2(1) of the Education (Fees and Awards) Regulations 1997**(53)** (interpretation).

79. Paragraph 3(2) of the Schedule to those Regulations.

80. Regulation E23(3) of the Teachers' Pensions Regulations 1997**(54)** (nomination of beneficiaries).

81. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule IX (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1997**(55)**.

82. Articles 14(f) and 15(b) of section II of Schedule IX (Family Pensions and Gratuities) to that Order.

83. Article 20 of section III of Schedule IX (Family Pensions and Gratuities) to that Order.

84. Articles 34(b) and 45(b)(2) of section V of Schedule IX (Family Pensions and Gratuities) to that Order.

85. Regulation 5(2)(c)(i) of the Local Government (Discretionary Payments and Injury Benefits) (Scotland) Regulations 1998**(56)** (interpretation of Part III: “eligible child”).

86. Paragraphs 2 and 3 of Schedule 1 to the Education (Student Loans) Regulations 1998**(57)** (eligible students).

87. Paragraph 5(6) of Schedule 8 (directors' report) to the Building Societies (Accounts and Related Provisions) Regulations 1998**(58)**.

(49) S.I. 1996/2891.

(50) S.I. 1996/3195, amended by S.I. 1997/454; there are other amending instruments but none is relevant.

(51) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(52) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(53) S.I. 1997/1972, amended by S.I. 2005/2114; there are other amending instruments but none is relevant.

(54) S.I. 1997/3001, amended by S.I. 2005/2198.

(55) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(56) S.I. 1998/192, to which there are amendments not relevant to this Order.

(57) S.I. 1998/211, amended by S.I. 2005/1718; there are other amending instruments but none is relevant.

(58) S.I. 1998/504, to which there are amendments not relevant to this Order.

88. Paragraph 4(5) of Schedule 9 (annual business statement) to those Regulations.
89. The definition of “dependent child” in regulation 8(2) of the National Health Service (Scotland) (Injury Benefits) Regulations 1998(59) (child’s allowance).
90. Regulation 9(6) of those Regulations (dependent relative’s allowance).
91. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1998(60).
92. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
93. Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
94. Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
95. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 1999(61).
96. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
97. Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
98. Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
99. The definition of “eligible child” in paragraph 1 of Schedule 1 to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000(62) (interpretation).
100. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2000(63).
101. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
102. Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
103. Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
104. The definition of “close relative” in article 3(1) of the Financial Services and Markets Act 2000 (Regulated Activities) Order 2001(64) (interpretation).
105. Article 71(2)(b) of that Order (activities carried on in connection with employee share schemes).

(59) S.I. 1998/1594, to which there are amendments not relevant to this Order.

(60) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(61) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(62) S.I. 2000/1410; there are other amending instruments but none is relevant to this Order.

(63) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(64) S.I. 2001/544, to which there are amendments not relevant to this Order.

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106. The definition of “close relative” in article 2(1) of the Financial Services and Markets Act 2000 (Promotion of Collective Investment Schemes) (Exemptions) Order 2001(**65**) (interpretation: general).

107. Paragraph 8(2)(b) of the Schedule to the Financial Services and Markets Act 2000 (Collective Investment Schemes) Order 2001(**66**) (arrangements not amounting to a collective investment scheme).

108. Paragraph 41(3)(b)(ii) of the Schedule to the Financial Services and Markets Act 2000 (Exemption) Order 2001(**67**).

109. The definition of “associate” in regulation 44(8)(a) of the Open-Ended Investment Companies Regulations 2001(**68**) (invalidity of certain transactions involving directors).

110. Paragraphs 4 and 5 of Schedule 1 to the Education (Grants etc.) (Dance and Drama) (England) Regulations 2001(**69**) (persons who can be award students).

111. The definition of “relative” in regulation 2(1) of the Care Homes Regulations 2001(**70**) (interpretation).

112. The definition of “relative” in regulation 2(1) of the National Care Standards (Registration) Regulations 2001(**71**) (interpretation).

113. Paragraph 3(1)(b) of Schedule 6 (Annual rate of allowance and child’s pension) to the Reserve Forces (Attributable Benefits) Regulations 2001(**72**).

114. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2001(**73**).

115. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.

116. Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.

117. Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.

118. The definition of “close relative” in regulation 1(2) of the State Pension Credit Regulations 2002(**74**) (interpretation).

119. Paragraphs 15(4)(b)(i) and (ii) and 15(5)(b)(i) and (ii) of Schedule V to those Regulations (income from capital).

120. The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2002(**75**).

121. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.

(65) S.I. 2001/1060, to which there are amendments not relevant to this Order.

(66) S.I. 2001/1062, to which there are amendments not relevant to this Order.

(67) S.I. 2001/1201, to which there are amendments not relevant to this Order.

(68) S.I. 2001/1228, to which there are amendments not relevant to this Order.

(69) S.I. 2001/2857, amended by S.I. 2005/2114; there are other amending instruments but none is relevant.

(70) S.I. 2001/3965, to which there are amendments not relevant to this Order.

(71) S.I. 2001/3969, to which there are amendments not relevant to this Order.

(72) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(73) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(74) (S.I. 2002/1792 amended by S.I. 2005/2877; there are other amending instruments but none is relevant.

(75) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

- 122.** Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
- 123.** Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
- 124.** Regulation 6(2)(c)(i), (iii) and (iv) of the Community Care, Services for Carers and Children’s Services (Direct Payments) (England) Regulations 2003(**76**) (conditions in respect of direct payments).
- 125.** The definition of “refugee” in regulation 2 of the Education (Mandatory Awards) Regulations 2003(**77**) (definitions).
- 126.** Paragraph 12(1) of Schedule 2 to those Regulations (requirements).
- 127.** Paragraphs 1(6), 2(1), 4(3), 4(4) and 5(9) of Schedule 3 to those Regulations (resources).
- 128.** Regulation 6(2) of the British Nationality (Fees) Regulations 2003(**78**).
- 129.** Regulation 3(1)(a) of the Conduct of Employment Agencies and Employment Businesses Regulations 2003(**79**) (the meaning of “connected”).
- 130.** The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2003(**80**).
- 131.** Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
- 132.** Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
- 133.** Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
- 134.** The definition of “close relative” in article 2(1) of the Lay Magistrates (Eligibility) (Northern Ireland) Order 2004(**81**) (title, commencement and interpretation).
- 135.** The definition of “relative” in regulation 2 of the Adult Placement Schemes (England) Regulations 2004(**82**) (interpretation).
- 136.** Regulation 6(2)(a) of the Inheritance Tax (Delivery of Accounts) (Excepted Estates) Regulations 2004(**83**) (production of information).
- 137.** The definition of “child” in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2004(**84**).
- 138.** Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
- 139.** Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
- 140.** Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.

(76) S.I. 2003/762.

(77) (S.I. 2003/1994, amended by S.I. 2005/2083; there are other amending instruments but none is relevant.

(78) S.I. 2003/3157, to which there are amendments not relevant to this Order.

(79) S.I. 2003/3319, amended by S.I. 2005/2114.

(80) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(81) S.R. 2004 No. 246.

(82) S.I. 2004/2071.

(83) S.I. 2004/2543.

(84) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

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141. Regulation E27(3) of the Teachers' Superannuation (Scotland) Regulations 2005(85) (nomination of beneficiaries).
142. The definition of "refugee" in regulation 2(1) of the Education (Student Support) Regulations 2005(86) (interpretation).
143. Paragraph 3 of Schedule 2 to those Regulations (eligible students).
144. The definition of "close relative" in article 2(1) of the Financial Services and Markets Act 2000 (Financial Promotion) Order 2005(87) (interpretation: general).
145. Article 60(2)(a)(ii) of that Order (participation in employee share schemes).
146. The definition of "child" in articles 14(a)(2) and 14(a)(4) of section II of Schedule X (Family Pensions and Gratuities) to the Naval and Marine Pay and Pensions (Non-Effective Benefits and Family Pensions) Order 2005(88).
147. Articles 14(f) and 15(b) of section II of Schedule X (Family Pensions and Gratuities) to that Order.
148. Article 20 of section III of Schedule X (Family Pensions and Gratuities) to that Order.
149. Articles 34(b) and 45(b)(2) of section V of Schedule X (Family Pensions and Gratuities) to that Order.
150. The definition of "child" in article 3073(1)(b) of section 1 of Chapter 41 (Family Pension and Gratuities to Widows/Widowers and Children of Officers and Airmen) of the Queen's Regulations(89).
151. Article 3074 of section 1 of Chapter 41 of those Regulations.
152. Article 3082(1)(c) of section 2 of Chapter 41 of those Regulations.
153. Article 3088(2)(b) of section 4 of Chapter 41 of those Regulations.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends Schedule 21 to the Civil Partnership Act 2004 ("the Act") and applies section 246 of the Act to provisions of certain existing subordinate legislation.

Section 246 of the Act provides that references to "step" relationships and "in laws" in any provision to which the section applies are to be read as including relationships arising through civil partnership. Section 246 applies to the provisions of the Acts specified in Schedule 21 to the Act. Article 2 amends Schedule 21 by adding further provisions of various Acts to that Schedule. Article 3 applies section 246 of the Act to the provisions of subordinate legislation listed in the Schedule to the Order.

(85) [S.S.I. 2005/393](#); amended by [S.S.I. 2005/543](#).

(86) [S.I. 2005/52](#), to which there are amendments not relevant to this Order.

(87) [S.I. 2005/1529](#).

(88) A copy of which is available from SPPoL Pensions, MOD, Whitehall, London SW1A 2HB.

(89) A copy of which is available from SPPoI Pensions, MOD, Whitehall, London SW1A 2HB.

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A regulatory impact assessment has not been prepared for this Order, as it has no impact on the costs of business, charities, voluntary bodies or any public bodies distinct from that of the Act itself. A full regulatory impact assessment for civil partnership was published alongside the Act and can be viewed at <http://www.dti.gov.uk/access/ria/index.htm#equality>.