



# Civil Partnership Act 2004

## CHAPTER 33

### CIVIL PARTNERSHIP ACT 2004

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*Civil partnership to be investigated: extension of waiting period to 70 days*

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- 4 (1) This paragraph applies if— (a) the Secretary of State...

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*Administration of Estates Act 1925 (c. 23)*

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10 In section 48(2), for “husband or wife” (in each place)...  
11 In section 51(3) (devolution of certain estates vested in infant...  
12 In section 55(1)(xviii) (which defines “valuable consideration” as including marriage),...

*Intestates' Estates Act 1952 (c. 64)*

- 13 (1) Amend section 5 and Schedule 2 (rights of surviving...

*Family Provision Act 1966 (c. 35)*

- 14 In section 1(1) (fixed net sum payable to surviving spouse...

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24 In section 17(4) (meaning of “maintenance agreement”)—  
25 After section 18 insert— Availability of court’s powers under this...  
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27 (1) Amend section 25 (interpretation) as follows.

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19E When pension compensation sharing orders may take effect

19F Interpretation

Part 5 — MATTERS TO WHICH COURT IS TO HAVE REGARD UNDER PARTS 1 TO 4A

*General*

- 20 The court in deciding— (a) whether to exercise its powers...

*Particular matters to be taken into account when exercising powers in relation to civil partners*

- 21 (1) This paragraph applies to the exercise by the court...

*Particular matters to be taken into account when exercising powers in relation to children*

- 22 (1) This paragraph applies to the exercise by the court...

*Terminating financial obligations*

- 23 (1) Sub-paragraphs (2) and (3) apply if, on or after...  
Part 6 — MAKING OF PART 1 ORDERS HAVING REGARD TO PENSION BENEFITS



*Status: Point in time view as at 23/09/2022.*

*Changes to legislation: Civil Partnership Act 2004 is up to date with all changes known to be in force on or before 05 August 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)*

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*Pension benefits to be included in matters to which court is to have regard*

24 (1) The matters to which the court is to have...

*Provisions applying where pension benefits taken into account in decision to make Part 1 order*

25 (1) This paragraph applies if, having regard to any benefits...

*Pensions: lump sums*

26 (1) This paragraph applies if the benefits which the civil...

*Pensions: supplementary*

27 If— (a) a Part 1 order made by virtue of...

*Regulations*

28 (1) The Lord Chancellor may by regulations—

*Interpretation of provisions relating to pensions*

29 (1) In this Part “the civil partner with pension rights”...  
Part 7 — PENSION PROTECTION FUND COMPENSATION ETC.

*PPF compensation to be included in matters to which court is to have regard*

30 (1) The matters to which a court is to have...

*Assumption of responsibility by PPF Board in paragraph 25(2) cases*

31 (1) This paragraph applies to an order under Part 1...

*Assumption of responsibility by PPF Board in paragraph 25(5) cases*

32 (1) This paragraph applies to an order under Part 1...

*Lump sums: power to modify paragraph 26 in respect of assessment period*

33 Regulations may modify paragraph 26 in its application to an...

*Assumption of responsibility by the Board not to affect power of court to vary order etc.*

34 (1) This paragraph applies where the court makes, in relation...

*Attachment of PPF compensation*

34A (1) This paragraph applies if, having regard to any PPF...

34B (1) Regulations may— (a) make provision, in relation to any...

*Regulations*

35 Regulations may make such consequential modifications of any provision of,...

36 (1) In this Part “regulations” means regulations made by the...

*Interpretation*

37 (1) In this Part— “assessment period” means— an assessment period...

*Status: Point in time view as at 23/09/2022.*

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Part 8 — MAINTENANCE AND OTHER PAYMENTS PENDING OUTCOME OF  
DISSOLUTION, NULLITY OR SEPARATION PROCEEDINGS

*Maintenance orders*

- 38 (1) On an application for a dissolution, nullity or separation...

*Orders in respect of legal services*

- 38A (1) In proceedings for a dissolution, nullity or separation order,...
- 38B (1) When considering whether to make or vary an order...
- Part 9 — FAILURE TO MAINTAIN: FINANCIAL PROVISION (AND INTERIM  
ORDERS)

*Circumstances in which orders under this Part may be made*

- 39 (1) Either civil partner in a subsisting civil partnership may...

*Interim orders*

- 40 An interim order is an order requiring the respondent to...

*Orders that may be made where failure to maintain established*

- 41 (1) The orders are— (a) an order that the respondent...

*Particular provision that may be made by lump sum orders*

- 42 (1) An order under this Part for the payment of...

*Matters to which the court is to have regard on application under paragraph 39(1)(a)*

- 43 (1) This paragraph applies if an application under paragraph 39...

*Matters to which the court is to have regard on application under paragraph 39(1)(b)*

- 44 (1) This paragraph applies if an application under paragraph 39...

*Restrictions on making orders under this Part*

- 45 The power to make an order under paragraph 41(1)(d), (e)...
- Part 10 — COMMENCEMENT OF CERTAIN PROCEEDINGS AND DURATION OF  
CERTAIN ORDERS

*Commencement of proceedings for ancillary relief, etc.*

- 46 (1) Sub-paragraph (2) applies if an application for a dissolution,...

*Duration of periodical and secured periodical payments orders for a civil partner*

- 47 (1) The court may specify in a periodical payments or...

*Subsequent civil partnership or marriage*

- 48 If after the making of a dissolution or nullity order...

*Status: Point in time view as at 23/09/2022.*

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*Duration of continuing orders in favour of children,  
and age limit on making certain orders in their favour*

- 49 (1) Subject to sub-paragraph (5)— (a) no order under Part...  
Part 11 — VARIATION, DISCHARGE ETC. OF CERTAIN ORDERS FOR  
FINANCIAL RELIEF

*Orders etc. to which this Part applies*

- 50 (1) This Part applies to the following orders—

*Powers to vary, discharge, suspend or revive order*

- 51 (1) If the court has made an order to which...

*Power to remit arrears*

- 52 (1) If the court has made an order referred to...

*Additional powers on discharging or varying a periodical or secured  
periodical payments order after dissolution of civil partnership*

- 53 (1) Sub-paragraph (2) applies if, after the dissolution of a...

- 54 (1) An order for the payment of a lump sum...

*Variation etc. of periodical or secured periodical  
payments orders made in cases of failure to maintain*

- 55 (1) An application for the variation under paragraph 51 of...

*Variation etc. of property adjustment , pension  
sharing and pension compensation sharing orders*

- 56 The court must not exercise the powers conferred by this...

- 57 (1) In relation to a pension sharing order or pension...

- 58 (1) Sub-paragraphs (2) and (3)— (a) are subject to paragraphs...

*Matters to which court is to have regard in exercising powers under this Part*

- 59 (1) In exercising the powers conferred by this Part the...

*Variation of secured periodical payments order where person liable has died*

- 60 (1) This paragraph applies if the person liable to make...

*Power to direct when variation etc. is to take effect*

- 61 (1) If the court, in exercise of its powers under...

- 62 (1) If— (a) a periodical payments or secured periodical payments...

Part 12 — ARREARS AND REPAYMENTS

*Payment of certain arrears unenforceable without the leave of the court*

- 63 (1) This paragraph applies if any arrears are due under—...

*Orders for repayment in certain cases of sums paid under certain orders*

- 64 (1) This paragraph applies if— (a) a person (“R”) is...

*Status: Point in time view as at 23/09/2022.*

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*Orders for repayment after cessation of order because of subsequent civil partnership etc.*

- 65 (1) Sub-paragraphs (3) and (4) apply if—  
Part 13 — CONSENT ORDERS AND MAINTENANCE AGREEMENTS

*Consent orders for financial relief*

- 66 (1) Regardless of anything in the preceding provisions of this...

*Meaning of “maintenance agreement” and “financial arrangements”*

- 67 (1) In this Part “maintenance agreement” means any agreement in...

*Validity of maintenance agreements*

- 68 If a maintenance agreement includes a provision purporting to restrict...

*Alteration of agreements by court during lives of parties*

- 69 (1) ... Either party to a maintenance agreement may apply...

*Restrictions on applications to and orders by magistrates' courts under paragraph 69*

- 70 (1) A magistrates' court must not entertain an application under...

*Provisions relating to periodical and secured periodical payments: duration*

- 71 (1) If a court decides to make an order under...

*Saving*

- 72 Nothing in paragraphs 68 to 71 affects—

*Alteration of agreements by court after death of one party*

- 73 (1) This paragraph applies if— (a) a maintenance agreement provides...  
Part 14 — MISCELLANEOUS AND SUPPLEMENTARY

*Avoidance of transactions intended to prevent or reduce financial relief*

- 74 (1) This paragraph applies if proceedings for relief (“financial relief”)...  
75 (1) Any reference in paragraph 74 to defeating A’s claim...

*Direction for settlement of instrument for securing payments or effecting property adjustment*

- 76 (1) This paragraph applies if the court decides to make—...

*Settlement, etc., made in compliance with a property adjustment order may be avoided on bankruptcy of settlor*

- 77 The fact that— (a) a settlement, or

*Payments, etc., under order made in favour of person suffering from mental disorder*

- 78 (1) This paragraph applies if— (a) the court makes an...

*Appeals relating to pension sharing orders which have taken effect*

- 79 (1) Sub-paragraphs (2) and (3) apply if an appeal against...

*Status: Point in time view as at 23/09/2022.*

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*Appeals relating to pension compensation sharing orders which have taken effect*

79A (1) This paragraph applies where an appeal against a pension...

*Interpretation*

80 (1) References in this Schedule to— (a) periodical payments orders,...

SCHEDULE 6 — Financial relief: provision corresponding to provision made by  
the Domestic Proceedings and Magistrates' Courts Act 1978

Part 1 — FAILURE TO MAINTAIN ETC.: FINANCIAL PROVISION

*Circumstances in which orders under this Part may be made*

1 (1) On an application to it by one of the...

*The orders: periodical and secured periodical payments and lump sums*

2 (1) The orders are— (a) an order that the respondent...

*Particular provision that may be made by lump sum orders*

3 (1) An order under this Part for the payment of...

*Matters to which court is to have regard in exercising its powers under this Part—general*

4 If an application is made for an order under this...

*Particular matters to be taken into account when  
exercising powers in relation to civil partners*

5 (1) This paragraph applies in relation to the exercise by...

*Particular matters to be taken into account when exercising powers in relation to children*

6 (1) This paragraph applies in relation to the exercise by...

*Reconciliation*

7 (1) If an application is made for an order under...

*Refusal of order in case more suitable for High Court*

8 (1) If on hearing an application for an order under...

Part 2 — ORDERS FOR AGREED FINANCIAL PROVISION

*Orders for payments which have been agreed by the parties*

9 (1) Either civil partner may apply to the family court...

*Meaning of “financial provision” and of references to specified financial provision*

10 (1) In this Part “financial provision” means any one or...

*Evidence to be produced where respondent not present etc.*

11 (1) This paragraph applies if— (a) the respondent is not...

*Status: Point in time view as at 23/09/2022.*

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*Exercise of powers in relation to children*

- 12 (1) This paragraph applies if the financial provision specified in...

*Power to make alternative orders*

- 13 (1) This paragraph applies if on an application under this...

*Relationship between this Part and Part 1*

- 14 (1) A civil partner who has applied for an order...  
Part 3 — ORDERS OF COURT WHERE CIVIL PARTNERS LIVING APART BY AGREEMENT

*Powers of court where civil partners are living apart by agreement*

- 15 (1) If— (a) the civil partners have been living apart...

*The orders that may be made under this Part*

- 16 (1) The orders are— (a) an order that the respondent...

*Restrictions on orders under this Part*

- 17 The court in the exercise of its powers under this...

*Relationship with powers under Part 1*

- 18 (1) Sub-paragraph (2) applies if on an application under this...

*Matters to be taken into consideration*

- 19 Paragraphs 4 to 6 apply in relation to an application...  
Part 4 — INTERIM ORDERS

*Circumstances in which interim orders may be made*

- 20 (1) This paragraph applies if an application has been made...

*Meaning of interim order*

- 21 (1) An interim order is an order requiring the respondent...

*When interim order may start*

- 22 (1) An interim order may provide for payments to be...

*Payments which can be treated as having been paid on account*

- 23 (1) If an interim order made by the High Court...

*When interim order ceases to have effect*

- 24 (1) Subject to sub-paragraphs (2) and (3), an interim order...

*Supplementary*

- 25 (1) An interim order made by the High Court under...  
Part 5 — COMMENCEMENT AND DURATION OF ORDERS UNDER PARTS 1, 2 AND 3

*Status: Point in time view as at 23/09/2022.*

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*Duration of periodical payments order for a civil partner*

26 (1) The court may specify in a periodical payments order...

*Age limit on making orders for financial provision for children and duration of such orders*

27 (1) Subject to sub-paragraph (5), no order is to be...

*Application of paragraphs 26 and 27 to Part 2 orders*

28 (1) Subject to sub-paragraph (3), paragraph 26 applies in relation...

*Effect on certain orders of parties living together*

29 (1) Sub-paragraph (2) applies if periodical payments are required to...  
Part 6 — VARIATION ETC. OF ORDERS

*Power to vary, revoke, suspend or revive order*

30 (1) If the family court has made an order for...

*Powers to order lump sum on variation*

31 (1) If the family court has made an order under...

*Power to specify when order as varied is to take effect*

32 An order made under this Part which varies an order...

33 (1) If— (a) there is in force an order (“the...

*Matters to which court is to have regard in exercising powers under this Part*

34 (1) In exercising the powers conferred by this Part the...

*Variation of orders for periodical payments: further provisions*

35 (1) The power of the court under paragraphs 30 to...

36 (1) If— (a) a magistrates' court has made an order...

37 (1) Before varying the order by exercising one of its...

38 (1) Section 1(6) of the 1991 Act (power of court...

*Persons who may apply under this Part*

39 An application under paragraph 30 or 31 may be made—...

*Revival of orders for periodical payments*

40 (1) If an order made by the family court under...

*Variation of instalments of lump sum*

41 If in the exercise of its powers under section 75...

*Supplementary provisions with respect to variation and revocation of orders*

42 None of the following powers apply in relation to an...

Part 7 — ARREARS AND REPAYMENTS

*Status: Point in time view as at 23/09/2022.*

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*Enforcement etc. of orders for payment of money*

43 Section 32 of the Domestic Proceedings and Magistrates' Courts Act...

*Orders for repayment after cessation of order because of subsequent civil partnership etc.*

44 (1) Sub-paragraphs (3) and (4) apply if—  
Part 8 — SUPPLEMENTARY

*Restrictions on making of orders under this Schedule: welfare of children*

45 If— (a) an application is made by a civil partner...

*Constitution of courts, powers of High Court and county court in relation to orders and appeals*

46 The following provisions of the Domestic Proceedings and Magistrates' Courts...

*Provisions as to jurisdiction and procedure*

47 (1) Subject to sub-paragraph (1A) and to section 2 of...

*Meaning of “child of the family”*

48 In this Schedule “child of the family”, in relation to...

SCHEDULE 7 — Financial relief in England and Wales after overseas dissolution etc. of a civil partnership

Part 1 — FINANCIAL RELIEF

*Part applies where civil partnership has been dissolved etc. overseas*

1 (1) This Part of this Schedule applies where—

*Either civil partner may make application for financial relief*

2 (1) Either of the civil partners may make an application...

*No application after formation of subsequent civil partnership or marriage*

3 (1) If— (a) the civil partnership has been dissolved or...

*Leave of court required for making of application*

4 (1) No application for an order under paragraph 9 or...

*Interim orders for maintenance*

5 (1) Where— (a) leave is granted under paragraph 4, and...

*Paragraphs 7 and 8 apply where application made for relief under paragraph 9 or 13*

6 Paragraphs 7 and 8 apply where— (a) one of the...

*Jurisdiction of the court*

7 (1) Subject to sub-paragraph (6), the court shall have jurisdiction...



*Status: Point in time view as at 23/09/2022.*

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*Duty of the court to consider whether England and Wales is appropriate venue for application*

8 (1) Before deciding the application, the court must consider whether...

*Orders for financial provision, property adjustment ,  
pension sharing and pension compensation sharing*

9 (1) Sub-paragraphs (2) and (3) apply where one of the...

*Matters to which court is to have regard in exercising its powers under paragraph 9*

10 (1) The court, in deciding— (a) whether to exercise its...

*Restriction of powers under paragraph 9 where jurisdiction  
depends on civil partnership home in England or Wales*

11 (1) Sub-paragraphs (2) to (4) apply where the court has...

*Consent orders under paragraph 9*

12 (1) On an application for a consent order under paragraph...

*Orders for transfers of tenancies of dwelling-houses*

13 (1) This paragraph applies if— (a) an application is made...

*Application to orders under paragraphs 5 and 9 of provisions of Schedule 5*

14 (1) The following provisions of Schedule 5 apply in relation...

*Avoidance of transactions designed to defeat claims under paragraphs 5 and 9*

15 (1) Sub-paragraphs (2) and (3) apply where one of the...

*Presumptions for the purposes of paragraph 15*

16 (1) Sub-paragraph (3) applies where— (a) an application is made...

Part 2 — STEPS TO PREVENT AVOIDANCE PRIOR TO APPLICATION FOR  
LEAVE UNDER PARAGRAPH 4

*Prevention of transactions intended to defeat prospective claims under paragraphs 5 and 9*

17 (1) If it appears to the court, on application by...

Part 3 — SUPPLEMENTARY

*Paragraphs 15 to 17: meaning of “disposition” and saving*

18 (1) In paragraphs 15 to 17 “disposition” does not include...

*Interpretation of Schedule*

19 In this Schedule— “the court” means the High Court or...

SCHEDULE 8 — Housing and tenancies

*Law of Property Act 1925 (c. 20)*

1 (1) Amend section 149(6) (which includes provision for a lease...

*Status: Point in time view as at 23/09/2022.*

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*Landlord and Tenant Act 1954 (c. 56)*

- 2 In paragraph 1(e) of Schedule 3 (grounds for possession: premises...

*Leasehold Reform Act 1967 (c. 88)*

- 3 In section 1(1ZC)(c) (which refers to section 149(6) of the...  
4 In section 1B (which refers to a tenancy granted so...  
5 (1) Amend section 3(1) (meaning of “long tenancy”) as follows....  
6 (1) Amend section 7 (rights of members of family succeeding...  
7 In section 18(3) (members of landlord’s family whose residential rights...

*Caravan Sites Act 1968 (c. 52)*

- 8 In section 3(2) (“occupier” includes surviving spouse of deceased occupier),...

*Rent (Agriculture) Act 1976 (c. 80)*

- 9 (1) Amend section 3 (protected occupiers by succession) as follows....  
10 (1) Amend section 4 (statutory tenants and tenancies) as follows....  
11 In section 31(3)(c) (power of Secretary of State and National...  
12 In paragraph 1 of Case 9 in Part 1 of...

*Rent Act 1977 (c. 42)*

- 13 (1) In Part 1 of Schedule 1 (statutory tenants by...  
14 In Schedule 15 (grounds for possession), in Case 9 in...

*Protection from Eviction Act 1977 (c. 43)*

- 15 In section 4(2)(b) (special provisions for agricultural employees: “occupier” includes...

*Housing Act 1980 (c. 51)*

- 16 In section 54(2) (protected shorthold tenancy etc. may not be...  
17 In section 76(3) (which amends provisions of the Rent (Agriculture)...

*Housing Act 1985 (c. 68)*

- 18 In sections 39(2)(b) and 160(2)(b) (meaning of “qualifying person” in...  
19 In section 39(3) (disposals exempt if in pursuance of certain...  
20 In section 87(a) (entitlement of tenant’s spouse to succeed to...  
21 (1) Amend section 88 (cases where secure tenant is a...  
22 (1) Amend section 89 (succession to periodic secured tenancy) as...  
23 In section 90(3)(a) (secure tenancy for term certain does not...  
24 In section 91(3)(b) (assignments not prohibited if in pursuance of...  
25 In section 99B(2)(e) (subsection applies to assignees in pursuance of...  
26 In section 101(3)(c) (assignees in pursuance of certain orders are...  
27 (1) Amend sections 113 and 186 (meaning of “member of...  
28 In section 123(2)(a) (family members with whom right to buy...  
29 In section 130(3) (persons whose receipt of discount results in...  
30 In section 160(3) (right to buy: disposals in pursuance of...  
31 In section 171B(4)(b) (persons who become tenants in pursuance of...  
32 In section 554(2A) (grant by registered social landlords to former...

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- 33 In Part 1 of Schedule 2 (secure tenancies: grounds for...
- 34 In paragraphs 2, 5 and 5A of Schedule 4 (qualifying...
- 35 (1) Amend Schedule 6A (redemption of landlord's share) as follows....

*Agricultural Holdings Act 1986 (c. 5)*

- 36 (1) In sections 35(2) and 49(3) (interpretation respectively of sections...
- 37 In section 36 (eligible person may apply for new tenancy...
- 38 In section 50 (eligible person may apply for new tenancy...
- 39 (1) Amend Schedule 6 (eligibility to apply for new tenancy...

*Landlord and Tenant Act 1987 (c. 31)*

- 40 (1) Amend section 4 (meaning of "relevant disposal" for purposes...

*Housing Act 1988 (c. 50)*

- 41 (1) Amend section 17 (succession to assured periodic tenancy by...
- 42 In section 82(1)(b) (after disposal by housing action trust, legal...
- 43 (1) Amend Schedule 2 (assured tenancies: grounds for possession) as...
- 44 (1) Amend paragraph 3 of Schedule 3 (agricultural worker condition...
- 45 (1) Amend paragraph 4 of Schedule 11 (exempted disposals by...

*Local Government and Housing Act 1989 (c. 42)*

- 46 In paragraph 5(1)(c) of Schedule 10 (long residential tenancies: grounds...

*Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)*

- 47 (1) Amend section 7 (meaning of "long lease") as follows....
- 48 In section 10(5) (members of family of resident landlord), for...

*Agricultural Tenancies Act 1995 (c. 8)*

- 49 In section 7(3) (which refers to section 149(6) of the...

*Housing Act 1996 (c. 52)*

- 50 (1) Amend section 15 (relevant and exempted disposals) as follows....
- 51 (1) Amend sections 62 and 140 (meaning of "member of...
- 52 In section 132 (introductory tenancies: cases where tenant is successor),...
- 53 (1) Amend section 133 (succession to introductory tenancy) as follows....
- 54 In section 134(2)(a) (introductory tenancy may not be assigned except...
- 55 In section 143H(5)(a) (two or more successors to demoted tenancy),...
- 56 In section 143I(3) (tenancy does not cease to be demoted...
- 57 For paragraphs (a) and (b) of section 143J(5) (successor by...
- 58 In section 143K(2) (demoted tenancy may be assigned only in...
- 59 (1) Amend section 143P (meaning of "member of another's family")...
- 60 In section 160 (cases where provisions about allocations do not...
- 61 (1) Amend section 178 (meaning of "associated person" in Part...

*Housing Grants, Construction and Regeneration Act 1996 (c. 53)*

- 62 In section 30(6)(a) (power to provide for financial position of...

*Status: Point in time view as at 23/09/2022.*

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63 (1) In section 54(3) (disposals in pursuance of certain orders...

*Commonhold and Leasehold Reform Act 2002 (c. 15)*

64 In section 76(2)(c) (which refers to section 149(6) of the...

65 In section 77(1) (“long lease”: exclusion of certain leases terminable...

66 In paragraph 3(8) of Schedule 6 (members of freeholder’s family...

SCHEDULE 9 — Family homes and domestic violence

Part 1 — AMENDMENTS OF THE FAMILY LAW ACT 1996 (C. 27)

1 (1) Amend section 30 (rights concerning matrimonial home where one...

2 (1) Amend section 31 (effect of matrimonial home rights as...

3 For section 32 (further provisions relating to matrimonial home rights)...

4 (1) Amend section 33 (occupation orders where applicant has estate...

5 In section 34 (effect of order under section 33 where...

6 (1) Amend section 35 (one former spouse with no existing...

7 In section 36 (one cohabitant or former cohabitant with no...

8 (1) Amend section 37 (neither spouse entitled to occupy) as...

9 In section 42 (non-molestation orders), after subsection (4) insert—

10 (1) In section 44 (evidence of agreement to marry), after...

11 In section 49 (variation and discharge of orders), in subsection...

12 (1) Amend section 54 (dwelling-house subject to mortgage) as follows....

13 (1) Amend section 62 (meaning of “cohabitants”, “relevant child” and...

14 (1) Amend section 63 (interpretation of Part 4) as follows....

15 (1) Amend Schedule 4 (provisions supplementary to sections 30 and...

16 (1) Amend Schedule 7 (transfer of certain tenancies on divorce...

Part 2 — CONSEQUENTIAL AMENDMENTS

*Land Compensation Act 1973 (c. 26)*

17 (1) Amend section 29A (spouses having statutory rights of occupation)...

*Housing Act 1985 (c. 68)*

18 (1) Amend section 85 (extended discretion of court in certain...

19 In section 99B (persons qualifying for compensation) in subsection (2) (f),...

20 In section 101 (rent not to be increased on account...

*Insolvency Act 1986 (c. 45)*

21 (1) Amend section 336 (rights of occupation etc. of bankrupt’s...

22 (1) Amend section 337 (rights of occupation of bankrupt) as...

*Housing Act 1988 (c. 50)*

23 (1) Amend section 9 (extended discretion of court in possession...

*Commonhold and Leasehold Reform Act 2002 (c. 15)*

24 (1) Amend section 61 (matrimonial rights) as follows.

Part 3 — TRANSITIONAL PROVISION

25 (1) Any reference (however expressed) in any enactment, instrument or...

*Status: Point in time view as at 23/09/2022.*

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## SCHEDULE 10 — FORBIDDEN DEGREES OF RELATIONSHIP: SCOTLAND

### SCHEDULE 10A — Modifications if proposed civil partnership referred under section 88F

- 1 Introduction
- 2 No civil partnership schedule to be completed until decision about investigation etc
- 3 Civil partnership to be investigated: extension of 28 day period to 70 days
- 4 Effect of reducing statutory period

### SCHEDULE 11 — Financial provision in Scotland after overseas proceedings Part 1 — INTRODUCTORY

- 1 (1) This Schedule applies where— (a) a civil partnership has...  
Part 2 — CIRCUMSTANCES IN WHICH COURT MAY ENTERTAIN APPLICATION FOR FINANCIAL PROVISION
- 2 (1) Subject to sub-paragraph (3A), if the jurisdictional requirements and...  
Part 3 — DISPOSAL OF APPLICATIONS
- 3 (1) Subject to sub-paragraphs (2) to (5), Scots law applies...  
Part 4 — THE EXPRESSION “ORDER FOR FINANCIAL PROVISION”
- 4 In this Schedule, “order for financial provision” means any one...

### SCHEDULE 12 — Prohibited degrees of relationship: Northern Ireland

#### *Absolute prohibitions*

- 1 (1) Two people are within prohibited degrees of relationship if...

#### *Qualified prohibitions*

- 2 (1) Two people are within prohibited degrees of relationship if...
- 3 Two people are within prohibited degrees of relationship if one...

### SCHEDULE 13 — Civil partnerships of persons under 18: Northern Ireland Part 1 — APPROPRIATE PERSONS

- 1 Column 2 of the table specifies the appropriate persons (or...)
- 2 In the table the following expressions have the same meaning...  
Part 2 — DISPENSING WITH CONSENT

#### *Order dispensing with consent*

- 3 (1) This paragraph applies if— (a) a young person and...  
Part 3 — RECORDING CONSENTS AND ORDERS
- 4 Any consent required by section 145(1) must be sent to...
- 5 Any order made under paragraph 3, or a certified copy...
- 6 The registrar must keep a record of—
- 7 The record kept under paragraph 6 must be kept with...

### SCHEDULE 13A — Modifications if proposed civil partnership referred under section 139E

- 1 Introduction

*Status: Point in time view as at 23/09/2022.*

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- 2 No civil partnership schedule to be issued until decision about investigation etc
- 3 Civil partnership to be investigated: completion of civil partnership schedule
- 4 Requests to complete the civil partnership schedule before expiry of 70 day period
- 5 Effect of reducing statutory period

#### SCHEDULE 14 — Wills, administration of estates and family provision: Northern Ireland

##### Part 1 — WILLS

- 1 Amend the Wills and Administration Proceedings (Northern Ireland) Order 1994...
- 2 In Article 4(1) (will made by person under 18 invalid...
- 3 In Article 8(1) and (3) (avoidance of gifts to attesting...
- 4 In Article 9 (witnessing by creditor), after “spouse” insert “...
- 5 After Article 13 insert— Effect of civil partnership (1) Subject to paragraphs (2) to (6), a will is...
- 6 In Article 14 (revocation), in paragraph (1)(a), after “Article 12...
- 7 (1) Amend Article 23 (presumption as to effect of gift...
- 8 In Article 27(3) (construction and effect of references to failure...

##### Part 2 — ADMINISTRATION OF ESTATES AND FAMILY PROVISION

##### *Administration of Estates Act (Northern Ireland) 1955 (c. 24 (N.I.))*

- 9 (1) Amend section 6A (spouse dying within 28 days of...
- 10 (1) Amend section 7 (rights of surviving spouse) as follows...
- 11 In section 8 (rights of issue), after “spouse” insert “...
- 12 In section 9 (rights of parents), after “spouse” insert “...
- 13 In section 10 (rights of brothers and sisters and their...
- 14 In section 11 (rights of next-of-kin), in subsection (1) after...
- 15 In section 38 (power to appoint trustees of infant’s property),...

##### *Inheritance (Provision for Family and Dependants) (Northern Ireland) Order 1979 (S.I. 1979/ 924 (N.I. 8))*

- 16 (1) Amend Article 2 (interpretation) as follows.
- 17 (1) Amend Article 3 (application for financial provision from deceased...
- 18 In Article 4(1) (orders which may be made on an...
- 19 (1) Amend Article 5(2) (application by spouse or former spouse:...
- 20 In Article 5(2A) (application by person living as husband or...
- 21 (1) In Article 8(3) and (10) (variation etc. of orders...
- 22 After Article 16 insert— Provision as to cases where no...
- 23 After Article 17 insert— Restriction imposed in proceedings for the...
- 24 After Article 17A insert— Restriction imposed in proceedings under Schedule...
- 25 In Article 18(1) (power to vary secured periodical payments orders)—...
- 26 In Article 19(4) (meaning of “maintenance agreement”)—
- 27 After Article 20 insert— Availability of court’s powers under this...
- 28 (1) Amend Article 21 (effect, duration and form of orders)...

#### SCHEDULE 15 — Financial relief in the High Court or a county court etc.: Northern Ireland

*Status: Point in time view as at 23/09/2022.*

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Part 1 — FINANCIAL PROVISION IN CONNECTION WITH DISSOLUTION,  
NULLITY OR SEPARATION

*Circumstances in which orders under this Part may be made*

- 1 (1) The court may make any one or more of...

*The orders: periodical and secured periodical payments and lump sums*

- 2 (1) The orders are— (a) an order that either civil...

*Particular provision that may be made by lump sum orders*

- 3 (1) An order under this Part requiring one civil partner...

*When orders under this Part may take effect*

- 4 (1) If an order is made under paragraph 2(1)(a), (b)...

*Restrictions on making of orders under this Part*

- 5 The power to make an order under paragraph 2(1)(d), (e)...

Part 2 — PROPERTY ADJUSTMENT ON OR AFTER DISSOLUTION, NULLITY  
OR SEPARATION

*Circumstances in which property adjustment orders may be made*

- 6 (1) The court may make one or more property adjustment...

*Property adjustment orders*

- 7 (1) The property adjustment orders are— (a) an order that...

*When property adjustment orders may take effect*

- 8 (1) If a property adjustment order is made on or...

*Restrictions on making property adjustment orders*

- 9 The power to make a property adjustment order under paragraph...

Part 3 — PENSION SHARING ORDERS ON OR AFTER DISSOLUTION OR  
NULLITY ORDER

*Circumstances in which pension sharing orders may be made*

- 10 (1) The court may make a pension sharing order—

*Pension sharing orders*

- 11 (1) A pension sharing order is an order which—

*Pension sharing orders: apportionment of charges*

- 12 If a pension sharing order relates to rights under a...

*Restrictions on making of pension sharing orders*

- 13 (1) A pension sharing order may not be made in...

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*When pension sharing orders may take effect*

- 14 (1) A pension sharing order is not to take effect...  
PART 3A — PENSION COMPENSATION SHARING ORDERS ON OR  
AFTER DISSOLUTION OR NULLITY ORDER

*Circumstances in which pension compensation sharing orders may be made*

- 14A (1) The court may make a pension compensation sharing order—...

*Pension compensation sharing orders*

- 14B (1) A pension compensation sharing order is an order which—...

*Pension compensation sharing orders: apportionment of charges*

- 14C The court may include in a pension compensation sharing order...

*Restrictions on making pension compensation sharing orders*

- 14D (1) A pension compensation sharing order may not be made...

*When pension compensation sharing orders may take effect*

- 14E (1) A pension compensation sharing order is not to take...

*Interpretation*

- 14F In this Schedule— “ PPF compensation ” means compensation payable...  
Part 4 — MATTERS TO WHICH COURT IS TO HAVE REGARD UNDER PARTS 1  
TO 3A

*General*

- 15 The court in deciding— (a) whether to exercise its powers...

*Particular matters to be taken into account when exercising powers in relation to civil partners*

- 16 (1) This paragraph applies to the exercise by the court...

*Particular matters to be taken into account when exercising powers in relation to children*

- 17 (1) This paragraph applies to the exercise by the court...

*Terminating considerations*

- 18 (1) Sub-paragraphs (2) and (3) apply if, on or after...  
Part 5 — MAKING OF PART 1 ORDERS HAVING REGARD TO PENSION  
BENEFITS

*Pension benefits to be included in matters to which court is to have regard*

- 19 (1) The matters to which the court is to have...



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*Provisions applying where pension benefits taken  
into account in decision to make Part 1 order*

20 (1) This paragraph applies if, having regard to any benefits...

*Pensions: lump sums*

21 (1) This paragraph applies if the benefits which the civil...

*Pensions: supplementary*

22 If— (a) a Part 1 order made by virtue of...

*Regulations*

23 (1) The Lord Chancellor may by regulations—

*Interpretation of provisions relating to pensions*

24 (1) In this Part “the civil partner with pension rights”...  
Part 6 — PENSION PROTECTION FUND COMPENSATION ETC.

*PPF compensation to be included in matters to which court is to have regard*

25 (1) The matters to which a court is to have...

*Assumption of responsibility by PPF Board in paragraph 20(2) cases*

26 (1) This paragraph applies to an order under Part 1...

*Assumption of responsibility by PPF Board in paragraph 20(5) cases*

27 (1) This paragraph applies to an order under Part 1...

*Lump sums: power to modify paragraph 21 in respect of assessment period*

28 Regulations may modify paragraph 21 in its application to an...

*Assumption of responsibility by the Board not to affect power of court to vary order etc.*

29 (1) This paragraph applies where the court makes, in relation...

*Attachment of PPF compensation*

29A (1) This paragraph applies if, having regard to any PPF...

29B (1) Regulations may— (a) make provision, in relation to any...

*Regulations*

30 Regulations may make such consequential modifications of any  
provision of,...

31 (1) In this Part “regulations” means regulations made by the...

*Interpretation*

32 (1) In this Part— “assessment period” means— an assessment period...  
Part 7 — MAINTENANCE PENDING OUTCOME OF DISSOLUTION, NULLITY  
OR SEPARATION PROCEEDINGS

33 On an application for a dissolution, nullity or separation order,...

*Status: Point in time view as at 23/09/2022.*

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## Part 8 — FAILURE TO MAINTAIN: FINANCIAL PROVISION (AND INTERIM ORDERS)

### *Circumstances in which orders under this Part may be made*

34 (1) Either civil partner in a subsisting civil partnership may...

### *Interim orders*

35 An interim order is an order requiring the respondent to...

### *Orders that may be made where failure to maintain established*

36 (1) The orders are— (a) an order that the respondent...

### *Particular provision that may be made by lump sum orders*

37 (1) An order under this Part for the payment of...

### *Matters to which the court is to have regard on application under paragraph 34(1)(a)*

38 (1) This paragraph applies if an application under paragraph 34...

### *Matters to which the court is to have regard on application under paragraph 34(1)(b)*

39 (1) This paragraph applies if an application under paragraph 34...

### *Restrictions on making orders under this Part*

40 The power to make an order under paragraph 36(1)(d), (e)...

## Part 9 — COMMENCEMENT OF CERTAIN PROCEEDINGS AND DURATION OF CERTAIN ORDERS

### *Commencement of proceedings for ancillary relief, etc.*

41 (1) Sub-paragraph (2) applies if an application for a dissolution,...

### *Duration of periodical and secured periodical payments orders for a civil partner*

42 (1) The court may specify in a periodical payments or...

### *Subsequent civil partnership or marriage*

43 If after the making of a dissolution or nullity order...

### *Duration of continuing orders in favour of children, and age limit on making certain orders in their favour*

44 (1) Subject to sub-paragraph (5)— (a) no order under Part...

## Part 10 — VARIATION, DISCHARGE ETC. OF CERTAIN ORDERS FOR FINANCIAL RELIEF

### *Orders etc. to which this Part applies*

45 (1) This Part applies to the following orders—

### *Powers to vary, discharge, suspend or revive order*

46 (1) If the court has made an order to which...

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*Power to remit arrears*

47 (1) If the court has made an order referred to...

*Variation etc. of periodical or secured periodical payments orders made in cases of failure to maintain*

48 (1) An application for the variation under paragraph 46 of...

*Variation etc. of property adjustment, pension sharing and pension compensation sharing orders*

49 The court must not exercise the powers conferred by this...

50 (1) In relation to a pension sharing order or pension...

51 (1) No property adjustment order, pension sharing order or...

*Matters to which court is to have regard in exercising powers under this Part*

52 (1) In exercising the powers conferred by this Part the...

*Variation of secured periodical payments order where person liable has died*

53 (1) This paragraph applies if the person liable to make...

*Power to direct when variation etc. is to take effect*

54 (1) If the court, in exercise of its powers under...

55 (1) If— (a) a periodical payments or secured periodical payments...  
Part 11 — ARREARS AND REPAYMENTS

*Payment of certain arrears unenforceable without the leave of the court*

56 (1) This paragraph applies if any arrears are due under—...

*Orders for repayment in certain cases of sums paid under certain orders*

57 (1) This paragraph applies if— (a) a person (“R”) is...

*Orders for repayment after cessation of order because of subsequent civil partnership etc.*

58 (1) Sub-paragraphs (3) and (4) apply if—  
Part 12 — CONSENT ORDERS AND MAINTENANCE AGREEMENTS

*Consent orders for financial relief*

59 (1) Regardless of anything in the preceding provisions of this...

*Meaning of “maintenance agreement” and “financial arrangements”*

60 (1) In this Part “maintenance agreement” means any written agreement...

*Validity of maintenance agreements*

61 If a maintenance agreement includes a provision purporting to restrict...

*Alteration of agreements by court during lives of parties*

62 (1) ... Either party to a maintenance agreement may apply...

*Status: Point in time view as at 23/09/2022.*

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*Restrictions on applications to and orders by  
courts of summary jurisdiction under paragraph 62*

63 (1) A court of summary jurisdiction must not entertain an...

*Provisions relating to periodical and secured periodical payments: duration*

64 (1) If a court decides to make an order under...

*Saving*

65 Nothing in paragraphs 61 or 64 affects—

*Alteration of agreements by court after death of one party*

66 (1) This paragraph applies if— (a) a maintenance agreement provides...  
Part 13 — MISCELLANEOUS AND SUPPLEMENTARY

*Avoidance of transactions intended to prevent or reduce financial relief*

67 (1) This paragraph applies if proceedings for relief (“financial relief”)...

68 (1) Any reference in paragraph 67 to defeating A’s claim...

69 (1) An order under paragraph 67(2), to the extent that...

70 (1) The registration of a statutory charge created under paragraph...

*Direction for settlement of instrument for securing payments or effecting property adjustment*

71 (1) This paragraph applies if the court decides to make—...

*Settlement, etc., made in compliance with a property  
adjustment order may be avoided on bankruptcy of settlor*

72 The fact that— (a) a settlement, or

*Payments, etc., under order made in favour of person suffering from mental disorder*

73 (1) This paragraph applies if— (a) the court makes an...

*Appeals relating to pension sharing orders which have taken effect*

74 (1) Sub-paragraphs (2) and (3) apply if an appeal against...

*Appeals relating to pension compensation sharing orders which have taken effect*

74A (1) This paragraph applies where an appeal against a pension...

*Interpretation*

75 (1) References in this Schedule to— (a) periodical payments orders,...

SCHEDULE 16 — Financial relief in court of summary jurisdiction etc.: Northern  
Ireland

Part 1 — FAILURE TO MAINTAIN ETC.: FINANCIAL PROVISION

*Circumstances in which orders under this Part may be made*

1 (1) On an application to it by one of the...

*Status: Point in time view as at 23/09/2022.*

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*The orders: periodical and secured periodical payments and lump sums*

- 2 (1) The orders are— (a) an order that the respondent...

*Particular provision that may be made by lump sum orders*

- 3 (1) An order under this Part for the payment of...

*Matters to which court is to have regard in exercising its powers under this Part – general*

- 4 If an application is made for an order under this...

*Particular matters to be taken into account when  
exercising powers in relation to civil partners*

- 5 (1) This paragraph applies in relation to the exercise by...

*Particular matters to be taken into account when exercising powers in relation to children*

- 6 (1) This paragraph applies in relation to the exercise by...

*Reconciliation*

- 7 (1) If before the hearing of any evidence in proceedings...

*Refusal of order in case more suitable for High Court*

- 8 (1) If on hearing an application for an order under...  
Part 2 — ORDERS FOR AGREED FINANCIAL PROVISION

*Orders for payments which have been agreed by the parties*

- 9 (1) Either civil partner may apply to the court for...

*Meaning of “financial provision” and of references to specified financial provision*

- 10 (1) In this Part “financial provision” means any one or...

*Evidence to be produced where respondent not present etc.*

- 11 (1) This paragraph applies if the respondent—

*Exercise of powers in relation to children*

- 12 (1) This paragraph applies if the financial provision specified in...

*Power to make alternative orders*

- 13 (1) This paragraph applies if on an application under this...

*Request for order under this Part in proceedings under Part 1*

- 14 (1) On an application for an order under Part 1,...  
Part 3 — ORDERS OF COURT WHERE CIVIL PARTNERS LIVING APART BY  
AGREEMENT

*Powers of court where civil partners are living apart by agreement*

- 15 (1) If— (a) the civil partners have been living apart...

*Status: Point in time view as at 23/09/2022.*

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*The orders that may be made under this Part*

16 (1) The orders are— (a) an order that the respondent...

*Restrictions on orders under this Part*

17 The court in the exercise of its powers under this...

*Relationship with powers under Part 1*

18 (1) Sub-paragraph (2) applies if on an application under this...

*Matters to be taken into consideration*

19 Paragraphs 4 to 6 apply in relation to an application...

Part 4 — INTERIM ORDERS

*Circumstances in which interim orders may be made*

20 (1) This paragraph applies if an application has been made...

*Meaning of interim order*

21 (1) An interim order is an order requiring the respondent...

*When interim order may start*

22 (1) An interim order may provide for payments to be...

*Payments which can be treated as having been paid on account*

23 (1) If an order under Part 1, 2 or 3...

*When interim order ceases to have effect*

24 (1) Subject to sub-paragraphs (2) and (3), an interim order...

*Supplementary*

25 An interim order made by the High Court under paragraph...

Part 5 — COMMENCEMENT AND DURATION OF ORDERS UNDER PARTS 1, 2  
AND 3

*Duration of periodical payments order for a civil partner*

26 (1) The court may specify in a periodical payments order...

*Age limit on making orders for financial provision for children and duration of such orders*

27 (1) Subject to sub-paragraph (5), no order is to be...

*Application of paragraphs 26 and 27 to Part 2 orders*

28 (1) Subject to sub-paragraph (3), paragraph 26 applies in relation...

*Effect on certain orders of parties living together*

29 (1) Sub-paragraph (2) applies if periodical payments are required to...

Part 6 — VARIATION ETC. OF ORDERS

*Status: Point in time view as at 23/09/2022.*

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*Power to vary, revoke, suspend or revive order*

30 (1) If the court has made an order for the...

*Powers to order lump sum on variation*

31 (1) If the court has made an order under paragraph...

*Power to specify when order as varied is to take effect*

32 An order made under this Part which varies an order...

33 (1) If— (a) there is in force an order (“the...

*Matters to which court is to have regard in exercising powers under this Part*

34 (1) In exercising the powers conferred by this Part the...

*Variation of orders for periodical payments: further provisions*

35 (1) The power of the court under paragraphs 30 to...

36 (1) If— (a) a court of summary jurisdiction has made...

37 (1) Before varying the order by exercising one of its...

38 (1) Article 85(5) of the 1981 Order (power of court...

*Persons who may apply under this Part*

39 An application under paragraph 30, 31 or 36 may be...

*Revival of orders for periodical payments*

40 (1) If an order made by the court under this...

*Variation of instalments or remission of lump sum*

41 (1) If in the exercise of its powers under Article...

*Supplementary provisions with respect to variation and revocation of orders*

42 The powers of a court of summary jurisdiction to revoke,...

Part 7 — ARREARS AND REPAYMENTS

*Enforcement etc. of orders for payment of money*

43 Article 36 of the Domestic Proceedings (Northern Ireland) Order 1980...

*Orders for repayment after cessation of order because of subsequent civil partnership etc.*

44 (1) Sub-paragraphs (3) and (4) apply if—

Part 8 — SUPPLEMENTARY

*Restrictions on making of orders under this Schedule: welfare of children*

45 If— (a) an application is made by a civil partner...

*Application of certain provisions of the Domestic Proceedings (Northern Ireland) Order 1980*

46 Articles 30 to 35 of the Domestic Proceedings (Northern Ireland)...

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### *Interpretation*

47 (1) In this Schedule “child of the family”, in relation...

SCHEDULE 17 — Financial relief in Northern Ireland after overseas dissolution  
etc. of a civil partnership

Part 1 — FINANCIAL RELIEF

*Part applies where civil partnership has been dissolved etc. overseas*

1 (1) This Part of this Schedule applies where—

*Either civil partner may make application for financial relief*

2 (1) Either of the civil partners may make an application...

*No application after formation of subsequent civil partnership or marriage*

3 (1) If— (a) the civil partnership has been dissolved or...

*Leave of court required for making of application*

4 (1) No application for an order under paragraph 9 or...

*Interim orders for maintenance*

5 (1) Where— (a) leave is granted under paragraph 4, and...

*Paragraphs 7 and 8 apply where application made for relief under paragraph 9 or 13*

6 Paragraphs 7 and 8 apply where— (a) one of the...

*Jurisdiction of the court*

7 (1) Subject to sub-paragraph (6), the court shall have jurisdiction...

*Duty of the court to consider whether Northern Ireland is appropriate venue for application*

8 (1) Before deciding the application, the court must consider whether...

*Orders for financial provision, property adjustment ,  
pension sharing and pension compensation sharing*

9 (1) Sub-paragraphs (2) and (3) apply where one of the...

*Matters to which court is to have regard in exercising its powers under paragraph 9*

10 (1) The court, in deciding— (a) whether to exercise its...

*Restriction of powers under paragraph 9 where jurisdiction  
depends on civil partnership home in Northern Ireland*

11 (1) Sub-paragraphs (2) to (4) apply where the court has...

*Consent orders under paragraph 9*

12 (1) On an application for a consent order under paragraph...



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*Orders for transfers of tenancies of dwelling-houses*

13 (1) This paragraph applies if— (a) an application is made...

*Application to orders under paragraphs 5 and 9 of provisions of Schedule 15*

14 (1) The following provisions of Schedule 15 apply in relation...

*Avoidance of transactions designed to defeat claims under paragraphs 5 and 9*

15 (1) Sub-paragraphs (2) and (3) apply where one of the...

*Presumptions for the purposes of paragraph 15*

16 (1) Sub-paragraph (3) applies where— (a) an application is made...

Part 2 — STEPS TO PREVENT AVOIDANCE PRIOR TO APPLICATION FOR  
LEAVE UNDER PARAGRAPH 4

*Prevention of transactions intended to defeat prospective claims under paragraphs 5 and 9*

17 (1) If it appears to the court, on application by...

Part 3 — SUPPLEMENTARY

*Paragraphs 15 to 17: meaning of “disposition” and saving*

18 (1) In paragraphs 15 to 17 “disposition” does not include...

*Interpretation of Schedule*

19 In this Schedule— “the court” means the High Court; “dwelling-house”...

SCHEDULE 18 — Housing and tenancies: Northern Ireland

*Rent (Northern Ireland) Order 1978 (S.I. 1978/1050 (N.I. 20))*

- 1 In Article 14 (extended discretion of court), in paragraph (2),...
- 2 (1) Amend Schedule 1 (statutory tenants by succession) as follows....
- 3 In Schedule 4 (grounds for possession), in Case 3 in...

*Housing (Northern Ireland) Order 1981 (S.I. 1981/156 (N.I. 3))*

- 4 (1) Amend Article 2A (meaning of member of a person’s...

*Housing (Northern Ireland) Order 1983 (S.I. 1983/1118 (N.I. 15))*

- 5 (1) In Article 24 (interpretation), amend paragraph (3) (meaning of...
- 6 (1) Amend Article 26 (succession on death of tenant) as...
- 7 In Article 32 (assignments), in paragraph (1), after sub-paragraph (a)...
- 8 In Article 33 (other disposals), in paragraph (2), after sub-paragraph...
- 9 In Article 94 (subletting or assignment), in paragraph (2), after...
- 10 In Schedule 3 (grounds for possession of dwelling-houses let under...

*Housing (Northern Ireland) Order 2003 (S.I. 2003/412 (N.I. 2))*

- 11 (1) Amend Article 3 (meaning of a person’s family) as...
- 12 In Article 13 (persons qualified to succeed tenant under an...
- 13 Article 14 (cases where tenant is a successor), in paragraph...

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- 14 (1) Amend Article 15 (persons qualified to succeed tenant under...
- 15 Article 16 (assignment in general prohibited), in paragraph (2)(a), after...
- 16 In Article 28 (interpretation of Part 3), in the definition...

SCHEDULE 19 — Family homes and domestic violence: Northern Ireland  
Part 1 — AMENDMENTS OF THE FAMILY HOMES AND DOMESTIC  
VIOLENCE (NORTHERN IRELAND) ORDER (SI 1998/1071 (NI 6))

- 1 (1) Amend Article 2 (interpretation) as follows.
- 2 (1) Amend Article 3 (meaning of “cohabitees”, “relevant child” and...
- 3 (1) Amend Article 4 (rights concerning matrimonial home where one...
- 4 (1) Amend Article 5 (effect of matrimonial home rights as...
- 5 (1) Amend Article 6 (registration, etc. of matrimonial charge) as...
- 6 (1) Amend Article 7 (restriction on registration where spouse entitled...
- 7 (1) Amend Article 8 (cancellation of registration of matrimonial charge...
- 8 (1) Amend Article 9 (cancellation of registration after termination of...
- 9 (1) Amend Article 10 (release of matrimonial home rights and...
- 10 (1) Amend Article 11 (occupation orders where applicant has estate...
- 11 In Article 12 (effect of order under Article 11 where...
- 12 (1) Amend Article 13 (one former spouse with no existing...
- 13 In Article 14 (one cohabitee or former cohabitee with no...
- 14 (1) Amend Article 15 (neither spouse entitled to occupy) as...
- 15 In Article 20 (non-molestation orders), after paragraph (4) insert—
- 16 (1) In Article 22 (evidence of agreement to marry), after...
- 17 In Article 24 (variation and discharge of orders), in paragraph...
- 18 (1) Amend Article 31 (dwelling-house subject to mortgage) as follows....
- 19 (1) Amend Article 33 (actions by mortgagees: service of notice...
- 20 (1) Amend Article 39 (appeals) as follows.
- 21 (1) Amend Schedule 2 (transfer of certain tenancies on divorce...

Part 2 — CONSEQUENTIAL AMENDMENTS

*Land Registration Act (Northern Ireland) 1970 (c. 18)*

- 22 In Part 1 of Schedule 6 (registration of certain burdens),...

*Registration of Deeds Act (Northern Ireland) 1970 (c. 25)*

- 23 In section 4(4A), for “matrimonial charge (within the meaning of...

*Land Acquisition and Compensation (Northern Ireland) Order 1973 (S.I. 1973/1896 (N.I. 21))*

- 24 (1) Amend Article 30A (spouses having statutory rights of occupation)...

*Rent (Northern Ireland) Order 1978 (S.I. 1978/1050 (N.I. 20))*

- 25 (1) Amend Article 14 (extended discretion of court in certain...

*Housing (Northern Ireland) Order 1983 (S.I. 1983/1118 (N.I. 15))*

- 26 In Article 36(1)(d) (rent not to be increased on account...
- 27 (1) Amend Article 47 (extended discretion of court in possession...

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*Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))*

- 28 (1) Amend Article 309 (rights of occupation etc. of bankrupt's...
- 29 (1) Amend Article 310 (rights of occupation of bankrupt) as...
  - Part 3 — TRANSITIONAL PROVISION
- 30 (1) Any reference (however expressed) in any enactment, instrument or...

SCHEDULE 20 — Meaning of overseas relationship: specified relationships  
— PART 1

A relationship is specified for the purposes of section 213(1)(a)...

PART 2 — OPPOSITE-SEX RELATIONSHIPS

SCHEDULE 21 — References to stepchildren etc. in existing Acts

- 1 The Declinature Act 1681 (c. 79) (Senators of College of...
- 2 Section 21 of the Small Landholders (Scotland) Act 1911 (c....
- 2A Section 4(3) of the Workmen's Compensation Act 1925 (c. 84)...
- 3 Section 68(2)(e) of the Marriage Act 1949 (c. 76) (solemnisation...
- 4 Section 7(7) of the Leasehold Reform Act 1967 (c. 88)...
- 5 Section 18(3) of that Act (residential rights and exclusion of...
- 6 Section 2(2) of the Employers' Liability (Compulsory Insurance) Act 1969...
- 7 Section 27(5) of the Parliamentary and other Pensions Act 1972...
- 8 Section 184(5) of the Consumer Credit Act 1974 (c. 39)...
  
- 9 Section 1(5) of the Fatal Accidents Act 1976 (c. 30)...
- 10 The definition of "relative" in section 31(1) of the Credit...
- 11 Section 32(3) of the Estate Agents Act 1979 (c. 38)...
- 11A Section 3(4) of the Pneumoconiosis etc. (Workers' Compensation) Act 1979...
- 12 Section 13(1) of the Administration of Justice Act 1982 (c....
- 13 Section 12(5) of the Mental Health Act 1983 (c. 20)...
- 14 Section 25C(10) of that Act (supervision applications: meaning of "close...
- 15 Section 5(3) of the Mobile Homes Act 1983 (c. 34)...
- 15A Section 11(6) of the Inheritance Tax Act 1984 (c. 51)...
- 15B Section 22(2) of that Act (gifts in consideration of marriage)....
- 15C Section 71(8) of that Act (accumulation and maintenance trusts).
- 16 Section 153(4) of the Companies Act 1985 (c. 6) (transactions...
- 17 Section 203(1) of that Act (notification of family and corporate...
- 18 Section 327(2) of that Act (extension of section 323 to...
- 19 Section 328(8) of that Act (extension of section 324 to...
- 20 Section 346(2) of that Act ("connected persons").
- 21 Section 430E(8) of that Act (associates).
- 22 Section 742A(6) of that Act (meaning of "offer to the...
- 22A Section 743(b) of that Act ("employees' share scheme").
- 23 Section 74(4)(a) of the Bankruptcy (Scotland) Act 1985 (c. 66)...
- 24 Section 113(2) of the Housing Act 1985 (c. 68) (members...
- 25 Section 186(2) of that Act (members of a person's family)....
- 26 Section 105(2) of the Housing Associations Act 1985 (c. 69)...
- 27 Section 20(6) of the Airports Act 1986 (c. 31) (powers...
- 28 Section 435(8) of the Insolvency Act 1986 (c. 45) (meaning...
- 29 Section 70(2)(a) and (c), (3)(a) and (4) of the Building...

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- 30 Section 83(2)(c) of the Housing (Scotland) Act 1987 (c. 26)...
- 31 Section 4(6) of the Landlord and Tenant Act 1987 (c....
- 31A Paragraph 2(5) of Schedule 14 to the Income and Corporation...
- 32 Section 52(2)(a) of the Companies Act 1989 (c. 40) (meaning...
- 33 The definition of “relative” in section 105(1) of the Children...
- 34 Paragraph 1(2) of Schedule 2 to the Broadcasting Act 1990...
- 35 Section 11(1) of the Agricultural Holdings (Scotland) Act 1991 (c....
- 35A Paragraphs 2(7), 2A(10) and 9(11) of Schedule 5 to the...
- 36 Section 77(3)(c) of the Friendly Societies Act 1992 (c. 40)...
- 37 The definitions of “son” and “daughter” in section 119A(2) of...
- 38 . . . . .
- 39 Section 10(5) of the Leasehold Reform, Housing and Urban  
Development...
- 40 Section 61(2) of the Crofters (Scotland) Act 1993 (c. 44)...
- 41 Section 2 of the Criminal Law (Consolidation) (Scotland) Act 1995...
- 42 Section 161(1) of the Employment Rights Act 1996 (c. 18)...
- 43 The definition of “relative” in section 63(1) of the Family...
- 44 Section 62(2) of the Housing Act 1996 (c. 52) (members...
- 45 Section 140(2) of that Act (members of a person’s family:...
- 46 Section 143P(3) of that Act (members of a person’s family:...
- 47 The definition of “relative” in section 178(3) of that Act...
- 48 Section 422(4)(b) of the Financial Services and Markets Act 2000...
- 49 Paragraph 16(2) of Schedule 11 to that Act (offers of...
- 49A Section 80(4A) of the Care Standards Act 2000 (c. 14)...
- 50 Section 108(2)(c) of the Housing (Scotland) Act 2001 (asp 10)...
- 51 Section 1(3) of the Mortgage Rights (Scotland) Act 2001 (asp...
- 52 Paragraph 3(8) of Schedule 6 to the Commonhold and Leasehold...
- 53 Section 127(6) of the Enterprise Act 2002 (c. 40) (associated...
- 54 Section 242(2) of the Income Tax (Earnings and Pensions) Act...
- 55 Section 270A(3)(a) of that Act (limited exemption for qualifying  
childcare...
- 56 Section 318(3) of that Act (childcare: exemption for employer-provided  
care)....
- 57 Section 318A(3) of that Act (childcare: limited exemption for other...
- 58 Section 318C(8) of that Act (childcare: meaning of “qualifying child...
- 59 Section 371(7) of that Act (travel costs and expenses where...
- 60 Section 374(9) of that Act (non-domiciled employee's spouse's or  
child's...
- 61 Section 27(3)(a) and (c) of the Sexual Offences Act 2003...
  
- 62 Section 27(4) of the Human Tissue Act 2004 (c. 30)...
- 63 Section 54(9) of that Act (general interpretation).

#### SCHEDULE 22 — References to stepchildren etc. in existing Northern Ireland legislation

- 1 The definition of “member of the family” in section 101...
- 2 Section 1(3)(f) of the Leasehold (Enlargement and Extension) Act  
(Northern...
- 3 Section 19(1)(a) of that Act (family of a person).
- 4 Section 3(7) of the Pensions (Increase) Act (Northern Ireland) 1971...
- 5 Article 6 of the Employers' Liability (Defective Equipment and  
Compulsory...

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- 6 Article 2(2) of the Fatal Accidents (Northern Ireland) Order 1977...
- 6A Article 5(3) of the Pneumoconiosis, etc. , (Workers' Compensation) (Northern...
- 7 Article 2(5) of the Housing (Northern Ireland) Order 1981 (S.I....
- 8 Article 24(3) of the Housing (Northern Ireland) Order 1983 (S.I....
- 9 The definition of “member of the family” in Article 2(2)...
- 10 Schedule 1 to the Mental Health (Northern Ireland) Order 1986...
- 11 Article 10A of the Companies (Northern Ireland) Order 1986 (S.I....
- 12 Article 211(1) of that Order (notification of family and corporate...
- 13 Article 335(2) of that Order (extension of Article 331 to...
- 14 Article 336(8) of that Order (extension of Article 332 to...
- 15 Article 354(2) of that Order (“connected persons”).
- 16 Article 423(8) of that Order (associates).
- 17 Article 4(8) of the Insolvency (Northern Ireland) Order 1989 (S.I....
- 18 Article 54(2)(a) of the Companies (Northern Ireland) Order 1990 (S.I....
- 19 Article 2(4) of the Registered Homes (Northern Ireland) Order 1992...
- 20 The definition of “relative” in Article 2(2) of the Children...
- 21 Article 196(1) of the Employment Rights (Northern Ireland) Order 1996...
- 22 The definition of “relative” in Article 2(2) of the Family...
- 23 Article 3(2) of the Housing (Northern Ireland) Order 2003 (S.I....
- 24 The definition of “relative” in Article 2(2) of the Firearms...
- 25 Section 4(3) of the Workmen's Compensation Act (Northern Ireland) 1927...
- 26 Article 5(3) of the Pneumoconiosis, etc. , (Workers' Compensation) (Northern...

SCHEDULE 23 — Immigration control and formation of civil partnerships  
Part 1 — INTRODUCTION

*Application of Schedule*

- A1 (1) Part 2 of this Schedule applies to a civil...
- 1 (1A) Part 3 of this Schedule applies if—

*The qualifying condition*

- 2 (1) For the purposes of this Schedule the qualifying condition,...  
Part 2 — ENGLAND AND WALES

*Application of this Part*

- 3 This Part of this Schedule applies as mentioned in paragraph...

*Procedure for giving notice of proposed civil partnership*

- 4 (1) Each notice of proposed civil partnership under Chapter 1...

*Declaration*

- 5 The necessary declaration under section 8 must include a statement...

*Recording of notice*

- 6 (1) The fact that a notice of proposed civil partnership...

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*Supplementary*

- 7 (1) Part 2 of this Act has effect in any...  
Part 3 — SCOTLAND

*Application of this Part*

- 8 This Part of this Schedule applies as mentioned in paragraph...

*Procedure for giving notice of proposed civil partnership*

- 9 (1) Notice under section 88— (a) may be submitted to...

*Pre-condition for making entry in civil partnership notice book etc.*

- 10 (1) Where the district registrar to whom notice is submitted...

*Supplementary*

- 11 (1) Part 3 of this Act has effect in any...  
Part 4 — NORTHERN IRELAND

*Application of this Part*

- 12 This Part of this Schedule applies as mentioned in paragraph...

*Procedure for giving civil partnership notices*

- 13 (1) The civil partnership notices must be given—

*Accompanying statement as to the qualifying condition*

- 14 A civil partnership notice given by a person subject to...

*Civil partnership notice book and civil partnership schedule*

- 15 (1) No action must be taken under section 140(1) or...

*Supplementary*

- 16 (1) Part 4 of this Act has effect in any...  
Part 5 — REGULATIONS  
17 Any power to make regulations under this Schedule is exercisable...

SCHEDULE 24 — Social security, child support and tax credits

Part 1 — AMENDMENTS OF THE CHILD SUPPORT ACT 1991 (C. 48)

- 1 In section 8 (role of the courts with respect to...  
2 In section 15 (powers of inspectors), in subsection (7)—  
3 In section 55 (meaning of “child”), in subsection (2)—  
4 For paragraph 6(5)(b) (as originally enacted) of Schedule 1  
(maintenance...  
5 After paragraph 6(5) (as originally enacted) of that Schedule insert—...  
6 In paragraph 10C of that Schedule (as substituted by section...  
Part 2 — AMENDMENTS OF THE CHILD SUPPORT (NORTHERN IRELAND)  
ORDER 1991 (S.I. 1991/ 2628 (N.I. 23))  
7 In Article 3 (meaning of “child”), in paragraph (2)—  
8 In Article 10 (role of the courts with respect to...  
9 In Article 17 (powers of inspectors), in paragraph (7)—

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- 10 For paragraph 6(5)(b) (as originally enacted) of Schedule 1 (maintenance...
- 11 After paragraph 6(5) (as originally enacted) of that Schedule insert—...
- 12 In paragraph 10C of that Schedule (as substituted by section...  
Part 3 — AMENDMENTS OF THE SOCIAL SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992 (C. 4)
- 13 In section 20 (descriptions of contributory benefits), in subsection (1)(f) (ii),...
- 14 In section 30A (incapacity benefit: entitlement), in subsection (2)(b)(ii), after...
- 15 In section 30B (incapacity benefit: rate), in subsection (3)(a), after...
- 16 (1) Amend section 36 (bereavement payment) as follows.
- 17 In section 36A (cases in which sections 37 to 41...
- 18 (1) Amend section 37 (widowed mother’s allowance) as follows.
- 19 (1) Amend section 38 (widow’s pension) as follows.
- 20 (1) Amend section 39A (widowed parent’s allowance) as follows.
- 21 (1) Amend section 39B (bereavement allowance where no dependent children)...
- 22 In section 39C (rate of widowed parent’s allowance and bereavement...
- 23 In section 46 (modifications of section 45 for calculating the...
- 24 (1) Amend section 48 (use of former spouse’s contributions) as...
- 25 (1) Amend section 48A (category B retirement pension for married...
- 26 (1) Amend section 48B (category B retirement pension for widows...
- 27 (1) Amend section 48BB (category B retirement pension: entitlement by...
- 28 (1) Amend section 51 (category B retirement pension for widowers)...
- 29 In section 51A (special provision for married people), in subsection...
- 30 In section 52 (special provision for surviving spouses), in subsection...
- 31 In section 60 (complete or partial failure to satisfy contributions...
- 32 In section 61A (contributions paid in error), in subsection (3)—...
- 33 In section 62 (graduated retirement benefit), after subsection (1)(aa) insert—...
- 34 In section 77 (guardian’s allowance)— (a) in subsection (6)(a)(ii), after...
- 35 In section 82 (short-term benefit: increase for adult dependants)—
- 36 In section 83A (pension increase for spouse)—
- 37 (1) Amend section 85 (pension increase: person with care of...
- 38 In section 113 (general provisions as to disqualification and suspension),...
- 39 In section 114 (persons maintaining dependants etc.)—
- 40 After subsection (1)(a) of section 121 (treatment of certain marriages)...
- 41 (1) Amend section 122 (interpretation of Parts 1 to 6...
- 42 In section 124 (income support), in subsection (1)(c), (f) and...
- 43 In section 126 (trade disputes), in subsection (3)(b), (c) and...
- 44 In section 127 (effect of return to work), for “married...
- 45 In section 132 (couples), in subsection (1), for “married or...
- 46 (1) Amend section 137 (interpretation of Part 7 and supplementary...
- 47 In section 143 (meaning of “person responsible for child”), in...
- 48 (1) Amend section 145A (entitlement after death of child) as...
- 49 (1) Amend section 150 (interpretation of Part 10) as follows...
- 50 In section 171ZL (entitlement to statutory adoption pay), in subsection...
- 51 (1) Amend Schedule 4A (additional pension) as follows.
- 52 (1) Amend Schedule 7 (industrial injuries benefits) as follows.

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- 53 (1) Amend Schedule 8 (industrial injuries and diseases: old cases)...
- 54 In Schedule 9 (exclusions from entitlement to child benefit), in...
- Part 4 — AMENDMENTS OF THE SOCIAL SECURITY ADMINISTRATION ACT  
1992 (C. 5)
- 55 In section 2AA (full entitlement to certain benefits conditional on...
- 56 In section 3 (late claims for bereavement benefit where death...
- 57 (1) Amend section 15A (payment out of benefit of sums...
- 58 (1) Amend section 71 (overpayments – general) as follows.
- 59 In section 73 (overlapping benefits – general), in subsections (2)(b)...
- 60 In section 74A (payment of benefit where maintenance payments  
collected...
- 61 (1) Amend section 78 (recovery of social fund awards) as...
- 62 In section 105 (failure to maintain – general), in subsection...
- 63 (1) Amend section 107 (recovery of expenditure on income support...
- 64 In section 109B (power to require information), in subsection (5)(a),...
- 65 In section 139 (arrangement for community charge benefits), in  
subsection...
- 66 In section 156 (up-rating under section 150 of pensions increased...
- Part 5 — AMENDMENTS OF THE SOCIAL SECURITY CONTRIBUTIONS AND  
BENEFITS (NORTHERN IRELAND) ACT 1992 (C. 7)
- 67 In section 20 (descriptions of contributory benefits), in subsection (1)(f)  
(ii),...
- 68 In section 30A (incapacity benefit: entitlement), in subsection (2)(b)(ii),  
after...
- 69 In section 30B (incapacity benefit: rate), in subsection (3)(a), after...
- 70 (1) Amend section 36 (bereavement payment) as follows.
- 71 In section 36A (cases in which sections 37 to 41...
- 72 (1) Amend section 37 (widowed mother's allowance) as follows.
- 73 (1) Amend section 38 (widow's pension) as follows.
- 74 (1) Amend section 39A (widowed parent's allowance) as follows.
- 75 (1) Amend section 39B (bereavement allowance where no dependent  
children)...
- 76 In section 39C (rate of widowed parent's allowance and bereavement...
- 77 In section 46 (modifications of section 45 for calculating the...
- 78 (1) Amend section 48 (use of former spouse's contributions) as...
- 79 (1) Amend section 48A (category B retirement pension for married...
- 80 (1) Amend section 48B (category B retirement pension for widows...
- 81 (1) Amend section 48BB (category B retirement pension: entitlement  
by...
- 82 (1) Amend section 51 (category B retirement pension for widowers)...
- 83 In section 51A (special provision for married people), in subsection...
- 84 In section 52 (special provision for surviving spouses), in subsection...
- 85 In section 60 (complete or partial failure to satisfy contribution...
- 86 In section 61A (contributions paid in error), in subsection (3)—...
- 87 In section 62 (graduated retirement benefit), after subsection (1)(aa)  
insert—...
- 88 In section 77 (guardian's allowance)— (a) in subsection (6)(a)(ii),  
after...
- 89 In section 82 (short-term benefit: increase for adult dependants)—
- 90 In section 83A (pension increase for spouse)—
- 91 (1) Amend section 85 (pension increase (person with care of...
- 92 In section 113 (general provisions as to disqualification and  
suspension),...



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- 93 In section 114 (persons maintaining dependants etc.)—  
94 In section 120 (treatment of certain marriages), after subsection (1)(a)...  
95 (1) Amend section 121 (interpretation of Parts 1 to 6...  
96 In section 123 (income support), in subsection (1)(c), (f) and...  
97 In section 125 (trade disputes), in subsection (3)(b), (c) and...  
98 In section 126 (effect of return to work), for “married...  
99 (1) Amend section 133 (interpretation of Part 7 and supplementary...  
100 In section 139 (meaning of “person responsible for child”), in...  
101 (1) Amend section 141A (entitlement after death of child) as...  
102 (1) Amend section 146 (interpretation of Part 10) as follows...  
103 In section 167ZL (entitlement to statutory adoption pay), in subsection...  
104 (1) Amend Schedule 4A (additional pension) as follows.  
105 (1) Amend Schedule 7 (industrial injuries benefits) as follows.  
106 In Schedule 9 (exclusions from entitlement to child benefit), in...  
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...  
108 In section 3 (late claims for bereavement benefit where death...  
109 (1) Amend section 13A (payment out of benefit of sums...  
110 (1) Amend section 69 (overpayments – general) as follows.  
111 In section 71 (overlapping benefits – general), in subsections (2)(b)...  
112 In section 72A (payment of benefit where maintenance payments  
collected...  
113 (1) Amend section 74 (recovery of social fund awards) as...  
114 In section 100 (failure to maintain – general), in subsection...  
115 In section 102 (recovery of expenditure on income support: additional...  
116 In section 103B (power to require information), in subsection (5)(a),...  
117 In section 136 (up-rating under section 132 of pensions increased...  
Part 7 — AMENDMENTS OF THE JOBSEEKERS ACT 1995 (C. 18)  
118 In section 1 (the jobseeker’s allowance), in subsection (4), in...  
119 In section 3 (the income-based conditions), in subsection (1)(dd) and...  
120 In section 15 (effect on other claimants), in subsection (2)(b),...  
121 In section 15A (trade disputes: joint-claim couples), in subsection (5)  
(c),...  
122 In section 23 (recovery of sums in respect of maintenance),...  
123 In section 31 (termination of awards), in subsections (1) and...  
124 (1) Amend section 35 (interpretation) as follows.  
125 In Schedule 1 (supplementary provisions), in paragraph 9C(1), for  
“married...  
Part 8 — AMENDMENTS OF THE CHILD SUPPORT ACT 1995 (C. 34)  
126 (1) Amend subsection (7) of section 10 (the child maintenance...  
127 After section 10(7) insert— (7A) For the purposes of this...  
Part 9 — AMENDMENTS OF THE CHILD SUPPORT (NORTHERN IRELAND)  
ORDER 1995 (S.I. 1995/ 2702 (N.I. 13))  
128 (1) Amend paragraph (7) of Article 4 (the child maintenance...  
129 After that paragraph insert— (7A) For the purposes of this...  
Part 10 — AMENDMENTS OF THE JOBSEEKERS (NORTHERN IRELAND)  
ORDER 1995 (S.I. 1995/2705 (N.I. 15))  
130 (1) Amend Article 2 (interpretation) as follows.  
131 In Article 3 (the jobseeker’s allowance), in paragraph (4), in...  
132 In Article 5 (the income-based conditions), in paragraphs (1)(dd) and...  
133 In Article 17 (effect on other claimants), in paragraph (2)(b),...

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- 134 In Article 17A (trade disputes: joint-claim couples), in paragraph (5)  
(c),...
- 135 In Article 25 (recovery of sums in respect of maintenance),...
- 136 In Article 32 (termination of awards), in paragraphs (1) and...
- 137 In Schedule 1 (supplementary provisions), in paragraph 9C(1), for  
“married...  
Part 11 — AMENDMENTS OF THE SOCIAL SECURITY ACT 1998 (C. 14)
- 138 (1) Amend section 72 (power to reduce child benefit for...  
Part 12 — AMENDMENTS OF THE SOCIAL SECURITY (NORTHERN IRELAND)  
ORDER 1998 (S.I. 1998/ 1506 (N.I. 10))
- 139 (1) Amend Article 68 (power to reduce child benefit for...  
Part 13 — AMENDMENTS OF THE STATE PENSION CREDIT ACT 2002 (C. 16)
- 140 In sections 2(5)(a) and (8)(b), 3(1)(b), 4(1), 5, 6(3)(c)(ii) and...
- 141 In section 2(5)(b), for “such a couple” substitute “ a...  
142 (1) Amend subsection (1) of section 17 (other interpretation  
provisions)...
- 143 After section 17(1) insert— (1A) For the purposes of this...  
Part 14 — AMENDMENTS OF THE TAX CREDITS ACT 2002 (C. 21)
- 144 (1) Amend section 3 (claims) as follows.
- 145 In sections 4(1)(g), 11(6)(b) and (c), 17(10)(b), 24(2) and 32(6),...
- 146 In sections 4(1)(g) and 17(10)(b), for “the married couple or...  
147 (1) Renumber section 48 (interpretation) as subsection (1) of that...  
Part 15 — AMENDMENTS OF THE STATE PENSION CREDIT ACT (NORTHERN  
IRELAND) 2002 (C. 14 (N.I.))
- 148 In sections 2(5)(a) and (8)(b), 3(1)(b), 4(1), 5, 6(3)(c)(ii) and...
- 149 In section 2(5)(b), for “such a couple” substitute “ a...  
150 (1) Amend subsection (1) of section 17 (other interpretation  
provisions)...
- 151 After section 17(1) insert— (1A) For the purposes of this...

#### SCHEDULE 25 — Amendment of certain enactments relating to pensions

##### *Fire Services Act 1947 (c. 41)*

- 1 In section 26 (firemen’s pension scheme), in subsections (1) and...

##### *House of Commons Members' Fund Act 1948 (c. 36)*

- 2 In section 4 (provision for cases of special hardship), in...

##### *Parliamentary and other Pensions Act 1972 (c. 48)*

- 3 In section 27 (pensions for dependants of Prime Minister or...

##### *Theatres Trust Act 1976 (c. 27)*

- 4 In section 3 (employment of staff), in subsection (d)(iii) (power...

#### SCHEDULE 26 — Amendment of certain enactments relating to the armed forces

##### *Greenwich Hospital Act 1865 (c. 89)*

- 1 In section 5 (power to appoint pensions to officers, etc.),...

*Status: Point in time view as at 23/09/2022.*

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*Navy and Marines (Property of Deceased) Act 1865 (c. 111)*

- 2 In section 4 (disposal of residue belonging to deceased person...

*Pensions Commutation Act 1871 (c. 36)*

- 3 (1) In section 4 (power to Treasury to commute pensions),...

*Greenwich Hospital Act 1883 (c. 32)*

- 4 In section 2 (power to grant pensions, allowances, and gratuities),...

*Pensions and Yeomanry Pay Act 1884 (c. 55)*

- 5 In section 4 (distribution of money not exceeding £5,000 without...

*Regimental Debts Act 1893 (c. 5)*

- 6 In section 10 (application of residue undisposed of), in subsection...

- 7 In section 24 (application of Act to cases of insanity),...

*Naval Medical Compassionate Fund Act 1915 (c. 28)*

- 8 . . . . .

*Naval and Military War Pensions, &c., (Administrative Expenses) Act 1917 (c. 14)*

- 9 (1) In section 5 (alteration of purposes for which voluntary...

*War Pensions (Administrative Provisions) Act 1919 (c. 53)*

- 10 In section 8 (appeals to Pensions Appeal Tribunals), in subsection...

*War Pensions Act 1920 (c. 23)*

- 11 In section 7 (restoration of forfeited pensions), in subsection (2),...

- 12 In section 8 (statutory right of widow or dependant to...

*Admiralty Pensions Act 1921 (c. 39)*

- 13 In section 2 (restoration of forfeited pension), in subsection (2),...

*Greenwich Hospital Act 1942 (c. 35)*

- 14 (1) In section 1 (extension of powers to grant pensions...

*Pensions Appeal Tribunals Act 1943 (c. 39)*

- 15 In section 1 (appeals against rejection of war pension claims...

*Greenwich Hospital Act 1947 (10 & 11 Geo. 6 c. 5)*

- 16 In section 2 (extension of power to grant pensions, etc.),...

*Polish Resettlement Act 1947 (c. 19)*

- 17 In section 1 (power to apply Royal Warrant as to...

- 18 In section 2 (allowances from the Assistance Board), in subsection...

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*Naval Forces (Enforcement of Maintenance Liabilities) Act 1947 (c. 24)*

19 (1) Amend section 1 (deduction from pay in respect of...

*Royal Patriotic Fund Corporation Act 1950 (c. 10)*

20 In section 1 (extension of objects of soldiers' effects fund),...

*Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951 (c. 65)*

21 In section 23(1) (interpretation of Part 2)—

22 In paragraph (a) of section 25(6) (meaning of “dependant”), for...

23 In section 27(5) (interpretation of section), for “wife” (in each...

24 In section 38(5) (interpretation of section), for “wife” (in each...

25 (1) Amend section 46 (general provisions as to payments to...

26 In section 52(2)(a) (“service pay” includes marriage etc. allowances),  
after...

27 (1) Amend Schedule 3 (financial provisions consequential on treating  
a...

*Army Act 1955 (3 & 4 Eliz. 2 c. 18)*

28 (1) Section 150 (enforcement of maintenance and affiliation orders by...

29 In section 151 (deductions from pay for maintenance of wife...

*Air Force Act 1955 (3 & 4 Eliz. 2 c. 19)*

30 (1) Section 150 (enforcement of maintenance and affiliation orders by...

31 In section 151 (deductions from pay for maintenance of wife...

*Naval Discipline Act 1957 (c. 53)*

32 (1) Section 101 (service of proceedings for maintenance etc.) is...

*Courts-Martial (Appeals) Act 1968 (c. 20)*

33 In section 48A (appeals on behalf of deceased persons), in...

SCHEDULE 27 — Minor and consequential amendments: general

*Explosive Substances Act 1883 (c. 3)*

1 In section 6 (inquiry by Attorney-General, and apprehension of  
absconding...

*Partnership Act 1890 (c. 39)*

2 In section 2 (rules for determining existence of partnership), in...

*Law of Distress Amendment Act 1908 (c. 53)*

3 In section 4(1) (exclusion of certain goods), after “husband or...

*Census Act 1920 (c. 41)*

4 In the Schedule (matters in respect of which particulars may...

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*Trustee Act 1925 (c. 19)*

- 5 (1) Amend section 31(2)(i) (trust on reaching 18 or marrying...  
6 In section 33(1)(ii)(a) and (b) (trust to maintain principal beneficiary...

*Law of Property Act 1925 (c. 20)*

- 7 In section 205(1)(xxi) (which defines “valuable consideration” as  
including marriage),...

*Judicial Proceedings (Regulation of Reports) Act 1926 (c. 61)*

- 8 (1) Amend section 1 (restriction on publication of reports of...

*Population (Statistics) Act 1938 (c. 12)*

- 9 In the Schedule (particulars which may be required), in paragraph...

*Landlord and Tenant (Requisitioned Land) Act 1942 (c. 13)*

- 10 In section 13(1) (definition of “member of the family”), after...

*Limitation (Enemies and War Prisoners) Act 1945 (c. 16)*

- 11 In section 2 (interpretation), in the definition of “statute of...

*Statistics of Trade Act 1947 (c. 39)*

- 12 In section 10 (information from persons entering or leaving the...

*Marriage Act 1949 (c. 76)*

- 13 (1) Amend section 1 (marriages within prohibited degrees) as follows....  
14 In section 27 (notice of marriage), in subsection (3), for...  
15 In section 28A (power to require evidence), for subsection (3)...  
16 In section 78(1) (interpretation), in the definition of “child”, after...  
17 For Schedule 1 (kindred and affinity) substitute— SCHEDULE 1  
Kindred...

*Maintenance Orders Act 1950 (c. 37)*

- 18 (1) Amend section 16 (application of Part 2) as follows....

*Births and Deaths Registration Act 1953 (c. 20)*

- 19 In section 41 (interpretation), in the definition of “relative”, after...

*Pharmacy Act 1954 (c. 61)*

- 20 In section 17(c) (benevolent fund: distressed relatives eligible for  
relief),...

*Registration of Births, Deaths and Marriages (Special Provisions) Act 1957 (c. 58)*

- 21 In section 1 (records of deaths, births and marriages among...

*Maintenance Orders Act 1958 (c. 39)*

- 22 (1) Amend section 4 (variation of orders registered in magistrates'...

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*Offices, Shops and Railway Premises Act 1963 (c. 41)*

- 23 In section 2 (exception for premises in which only employer's...

*Industrial and Provident Societies Act 1965 (c. 12)*

- 24 (1) Amend section 23 (nomination to property in society) as...  
25 In section 25 (provision for intestacy), in subsection (2), after...

*Criminal Appeal Act 1968 (c. 19)*

- 26 In section 44A (appeals in cases of death), in subsection...

*Theft Act 1968 (c. 60)*

- 27 (1) Amend section 30 (husband and wife) as follows.  
28 In section 31 (effect on civil proceedings and rights), in...

*Domestic and Appellate Proceedings (Restriction of Publicity) Act 1968 (c. 63)*

- 29 (1) Amend section 2 (restriction of publicity for certain matrimonial...

*Civil Evidence Act 1968 (c. 64)*

- 30 In section 14 (privilege against incrimination of self or spouse)—...

*Gaming Act 1968 (c. 65)*

- 31 In Schedule 2 (grant, renewal, cancellation and transfer of licences),...

*Medicines Act 1968 (c. 67)*

- 32 In section 114 (supplementary provisions as to rights of entry...

*Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)*

- 33 In section 2(2)(a) (persons whom employer is not required to...

*Administration of Justice Act 1970 (c. 31)*

- 34 In Schedule 8 (meaning of "maintenance order" in Part 2...

*Attachment of Earnings Act 1971 (c. 32)*

- 35 In Schedule 1 (maintenance orders to which the 1971 Act...

*Criminal Damage Act 1971 (c. 48)*

- 36 In section 9 (evidence in connection with offences under the...

*Immigration Act 1971 (c. 77)*

- 37 In section 5(4) (members of another's family for purposes of...

*Local Government Act 1972 (c. 70)*

- 38 In section 95 (pecuniary interests for purposes of section 94),...  
39 In section 96 (general notices and recording of disclosures for...

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*Matrimonial Causes Act 1973 (c. 18)*

- 40 In section 11 (grounds on which marriage is void), at...
- 41 (1) Amend section 14 (marriages governed by foreign law or...
- 42 In section 24A (orders for sale of property), in subsection...
- 43 (1) Amend section 28 (duration of continuing financial provision orders...
- 44 In section 35 (alteration of agreements by court during lives...
- 45 (1) Amend section 38 (orders for repayment in certain cases...
- 46 In section 52 (interpretation), after subsection (3), insert —

*Fair Trading Act 1973 (c. 41)*

- 47 In section 30 (offences in connection with exercise of powers...

*Slaughterhouses Act 1974 (c. 3)*

- 48 In section 10 (temporary continuance of licence on death), for...

*Health and Safety at Work etc. Act 1974 (c. 37)*

- 49 In section 20 (powers of inspectors), in subsection (7), for...

*Consumer Credit Act 1974 (c. 39)*

- 50 In section 165 (obstruction of authorised officers), in subsection (3),...
- 51 (1) Amend section 184 (associates) as follows.

*Friendly Societies Act 1974 (c. 46)*

- 52 (1) Amend section 66 (power of member to nominate person...

*Rehabilitation of Offenders Act 1974 (c. 53)*

- 53 In section 7 (limitations on rehabilitation under the 1974 Act,...

*Sex Discrimination Act 1975 (c. 65)*

- 54 In section 82(5) (general interpretation: meaning of “near relative”)

*Race Relations Act 1976 (c. 74)*

- 55 In section 78(5) (general interpretation: meaning of “near relative”)—

*Criminal Law Act 1977 (c. 45)*

- 56 In section 2 (exemptions from liability for conspiracy), in subsection...

*Domestic Proceedings and Magistrates' Courts Act 1978 (c. 22)*

- 57 In section 4 (duration of orders for financial provision for...
- 58 (1) Amend section 35 (orders for repayment in certain cases...

*Interpretation Act 1978 (c. 30)*

- 59 At the appropriate place in Schedule 1 (words and expressions...

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*Protection of Children Act 1978 (c. 37)*

60 In section 1A (marriage and other relationships), in subsections (1)(a)...

*Credit Unions Act 1979 (c. 34)*

61 (1) Amend section 31(1) (interpretation) as follows.

*Estate Agents Act 1979 (c. 38)*

62 In section 27 (obstruction and personation of authorised officers), in...

63 (1) Amend section 32 (associates) as follows.

*Magistrates' Courts Act 1980 (c. 43)*

64 In section 59 (orders for periodical payments: means of payment),...

65 (1) Amend section 65 (meaning of family proceedings) as follows....

*Disused Burial Grounds (Amendment) Act 1981 (c. 18)*

66 In section 9 (interpretation), in the definition of “relative”, for...

*Forgery and Counterfeiting Act 1981 (c. 45)*

67 In section 5 (offences relating to money orders, share certificates,...

*Senior Courts Act 1981(c. 54)*

68 In section 18(1) (restrictions on appeals to Court of Appeal),...

69 (1) Amend section 72 (withdrawal of privilege against incrimination of...

70 In paragraph 3 of Schedule 1 (business assigned to Family...

*British Nationality Act 1981 (c. 61)*

71 In section 3(6)(a) (registration as British citizen of minor whose...

72 In section 6(2) (naturalisation of person married to British citizen),...

73 In section 10(2)(b) (registration as British citizen after pre-1983 renunciation...

74 In section 12(5) (renunciation: persons who have married deemed of...

75 In section 17(6)(a) (registration as British overseas territories citizen of...

76 In section 18(2) (naturalisation of person married to a British...

77 In section 22(2)(b) (naturalisation as British overseas territories citizen after...

78 (1) Amend paragraphs 4(d) and 8(d) of Schedule 1 (requirements...

*Forfeiture Act 1982 (c. 34)*

79 In section 3 (application for financial provision not affected by...

*Representation of the People Act 1983 (c. 2)*

80 (1) Amend section 14 (service qualification) as follows.

81 In section 16 (contents of service declaration), for “wife or...

82 In section 59 (supplemental provisions as to members of forces...

83 In section 61 (other voting offences), in subsection (4), for...

84 In section 141 (duty to answer relevant questions), in subsections...



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85 (1) Amend Schedule 1 (parliamentary elections rules) as follows.

*Mental Health Act 1983 (c. 20)*

86 In— (a) . . . . .

*Mobile Homes Act 1983 (c. 34)*

87 In section 3(3) (succession to agreements to which Act applies),...

88 In section 5(3) (meaning of “member of another’s family”)—

*Dentists Act 1984 (c. 24)*

89 In section 41(4) (family or representatives may carry on deceased...

*Matrimonial and Family Proceedings Act 1984 (c. 42)*

90 (1) Amend section 12 (applications for financial relief after overseas...

91 In section 32 (meaning of “family business” etc. ), after...

92 After section 36 insert— Jurisdiction of county courts in civil...

93 For section 38(3) (transfer of family proceedings from High Court...

94 In section 39(2) (family proceedings transferable to the High Court),...

95 In section 40(4)(b) (enforcement in High Court of orders of...

96 (1) Amend section 42 (county court proceedings in principal registry...

*Police and Criminal Evidence Act 1984 (c. 60)*

97 (1) Amend section 80 (compellability of accused’s spouse) as follows....

98 In section 80A (rule where accused’s spouse not compellable)—

*Companies Act 1985 (c. 6)*

99 In section 203 (notification of family and corporate interests), in...

100 (1) Amend section 327 (extension of section 323 to spouses...

101 (1) Amend section 328 (extension of section 324 to spouses...

102 In section 346 (connected persons) in subsection (2)—

103 In section 430E (associates), in subsection (8) after “spouse” insert...

104 (1) Amend section 742A (meaning of “offer to the public”)...

105 In Schedule 7 (matters to be dealt with in directors'...

*Enduring Powers of Attorney Act 1985 (c. 29)*

106 In section 3 (scope of authority etc. of attorney under...

107 In Schedule 1 (notification prior to registration of instrument creating...

108 Paragraphs 106 and 107 apply in relation to the exercise...

*Food and Environment Protection Act 1985 (c. 48)*

109 In Schedule 2 (officers and their powers), in paragraph 2A(4),...

*Child Abduction and Custody Act 1985 (c. 60)*

110 In section 24A (power to order disclosure of child’s whereabouts),...

*Airports Act 1986 (c. 31)*

111 In section 20 (powers of investment and disposal in relation...

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*Insolvency Act 1986 (c. 45)*

- 112 In section 215 (proceedings under sections 213, 214), in subsection...
- 113 In section 283A (bankrupt's home ceasing to form part of...
- 114 In section 313 (charge on bankrupt's home), in subsection (1),...
- 115 In section 313A (low value home: application for sale, possession...
- 116 In section 329 (debts to spouse), in subsection (1), after...
- 117 In section 332 (saving for bankrupt's home), in subsection (1),...
- 118 In section 335A (rights under trusts of land), in subsection...
- 119 In section 339 (transactions at an undervalue), in subsection (3)(b),...
- 120 In section 366 (inquiry into bankrupt's dealings and property), in...
- 121 In section 423 (transactions defrauding creditors), in subsection (1)(b),  
after...
- 122 (1) Amend section 435 (meaning of "associate") as follows.

*Building Societies Act 1986 (c. 53)*

- 123 In section 70 (interpretation), in— (a) subsection (2)(a) and (c),...

*Family Law Act 1986 (c. 55)*

- 124 In section 33 (power to order disclosure of child's whereabouts),...
- 125 In section 50 (non-recognition of divorce or annulment in another...

*Consumer Protection Act 1987 (c. 43)*

- 126 In section 47 (savings for certain privileges), in subsection (2),...

*Criminal Justice Act 1988 (c. 33)*

- 127 In section 160A (marriage and other relationships), in subsections (1)  
(a)...

*Companies Act 1989 (c. 40)*

- 128 In section 52 (meaning of "associate"), in subsection (2)(a) after...

*Children Act 1989 (c. 41)*

- 129 (1) Amend section 8 (residence, contact and other orders with...
- 130 In section 48 (powers to assist in discovery of children...
- 131 In section 50 (recovery of abducted children etc.), in subsection...
- 132 In section 98 (self-incrimination), in subsections (1) and (2), after...

*Local Government and Housing Act 1989 (c. 42)*

- 133 In section 19 (members' interests) in subsection (7), after "spouse"...
- 134 In section 69 (companies subject to local authority influence), in...

*Opticians Act 1989 (c. 44)*

- 135 In section 29(1) (family or representatives may use deceased  
optician's...

*Food Safety Act 1990 (c. 16)*

- 136 In section 43 (continuance of registration or licence on death)...

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*Courts and Legal Services Act 1990 (c. 41)*

- 137 In section 10 (family proceedings in magistrates' courts and related...
- 138 In section 58A (conditional fee agreements: supplementary), omit “and” at...

*Broadcasting Act 1990 (c. 42)*

- 139 In paragraph 1(2) of Part 1 of Schedule 2 (restrictions...

*Local Government Finance Act 1992 (c. 14)*

- 140 (1) In section 9(1)(a) (joint and several liability for council...

*Friendly Societies Act 1992 (c. 40)*

- 141 In section 77 (information on appointed actuary to be annexed...
- 142 In section 119A (meaning of “associate”), in subsection (1)(a), after...
- 143 In Schedule 2 (the activities of a friendly society), in...

*Trade Union and Labour Relations Act 1992 (c. 52)*

- 144 In section 23 (restriction on enforcement of awards against certain...
- 145 In section 241 (intimidation or annoyance by violence or otherwise),...
- 146 In section 292 (death of employee or employer), in subsection...

*Charities Act 1993 (c. 10)*

- 147 .....

*Pension Schemes Act 1993 (c. 48)*

- 148 In section 101E(1)(b) after “or widower” insert “ or surviving...

*Pension Schemes (Northern Ireland) Act 1993 (c. 49)*

- 149 In section 97E(1)(b) after “or widower” insert “ or surviving...

*Disability Discrimination Act 1995 (c. 50)*

- 150 (1) In section 23 (exemption for small dwellings), amend subsection...

*Employment Rights Act 1996 (c. 18)*

- 151 In section 57A (time off for dependants), in subsection (3)(a),...

*Family Law Act 1996 (c. 27)*

- 152 (1) Amend section 64 (provision for separate representation for children)...

*Trusts of Land and Appointment of Trustees Act 1996 (c. 47)*

- 153 In paragraph 3 of Schedule 1 (family charges), after “in...

*Civil Procedure Act 1997 (c. 12)*

- 154 In section 7 (power of courts to make orders for...

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*National Minimum Wage Act 1998 (c. 39)*

155 In section 14 (powers of officers), in subsection (2), for...

*Access to Justice Act 1999 (c. 22)*

156 In Schedule 2 (community legal service: excluded services), in paragraph...

*Welfare Reform and Pensions Act 1999 (c. 30)*

157 (1) Amend section 23 (supply of pension information in connection...

158 (1) Amend section 24 (charges by pension arrangements in relation...

159 (1) Amend section 28 (activation of pension sharing) as follows....

160 (1) Amend section 34 (“implementation period”) as follows.

161 (1) Amend section 48 (activation of benefit sharing) as follows....

*Immigration and Asylum Act 1999 (c. 33)*

162 After section 24 insert— Duty to report suspicious civil partnerships...

163 In section 166 (regulations and orders), in subsection (6)(b) after...

*Representation of the People Act 2000 (c. 2)*

164 (1) Amend Schedule 4 (absent voting in Great Britain) as...

*Financial Services and Markets Act 2000 (c. 8)*

165 In section 422 (controller), in subsection (4)(a), after “spouse” insert...

166 In Schedule 11 (offers of securities), in paragraph 16(2), after...

*Land Registration Act 2002 (c. 9)*

167 In section 125 (privilege against self-incrimination), in subsection (2), after...

*Enterprise Act 2002 (c. 40)*

168 In section 127 (associated persons), in subsections (4)(a) and (c)...

169 In section 222 (bodies corporate: accessories), in subsection (10), after...

*Licensing Act 2003 (c. 17)*

170 In section 101 (minimum of 24 hours between event periods),...

*Local Government Act 2003 (c. 26)*

171 In paragraph 2(1)(a) of Schedule 4 (spouse of employee of...

*Courts Act 2003 (c. 39)*

172 In section 76 (further provision about scope of Family Procedure...

*Sexual Offences Act 2003 (c. 42)*

173 (1) Amend section 23 (sections 16 to 19: marriage exception)...

174 (1) Amend section 28 (sections 25 and 26: marriage exception)...

175 (1) Amend section 43 (sections 38 and 41: marriage exception)...

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SCHEDULE 28 — Consequential amendments: Scotland

Part 1 — AMENDMENTS OF THE SUCCESSION (SCOTLAND) ACT 1964  
(C. 41)

- 1 In section 1(2) (intestacy: saving for legal rights or prior...
- 2 In section 2(1)(e) (intestacy: succession rights of surviving spouse)—
- 3 In section 5(1) (representation on intestacy), for “or spouse” substitute...
- 4 In section 8 (prior rights on intestacy in dwelling house...
- 5 In section 9 (prior right to financial provision on intestacy)—...
- 6 In section 10(2) (calculation of legal rights), for “jus relictii,...
- 7 In section 15(2)(a) (transfer of heritage in satisfaction of claim...
- 8 In section 16(2) (transfer of interest of tenant notwithstanding condition...
- 9 In section 31(1) (presumption of survivorship in respect of claims...
- 10 In section 36(1) (interpretation), in the definition of “prior rights”,...

Part 2 — AMENDMENTS OF THE FAMILY LAW (SCOTLAND) ACT 1985  
(C. 37)

- 11 In section 1(1) (obligation of aliment), after paragraph (b) insert—...
- 12 (1) Amend section 2 (actions for aliment) as follows.
- 13 In section 6(1) (interim aliment)— (a) in paragraph (a), for...
- 14 (1) Amend section 8 (orders for financial provision) as follows....
- 15 (1) Amend section 9 (principles to be applied in deciding...
- 16 (1) Amend section 10 (sharing of value of matrimonial property)...
- 17 (1) Amend section 11 (factors to be taken into account)...
- 18 (1) Amend section 12 (orders for payment of capital sum...
- 19 (1) Amend section 12A (orders for payment of capital sum:...
- 20 (1) Amend section 13 (orders for periodical allowance) as follows....
- 21 (1) Amend section 14 (incidental orders) as follows.
- 22 (1) Amend section 16 (agreements on financial provision) as follows....
- 23 (1) Amend section 17 (financial provision on declarator of nullity...
- 24 In section 18(1) (orders relating to avoidance transactions), for “party”...
- 25 In section 21 (award of aliment or custody where divorce...
- 26 (1) In section 22 (expenses of action)—
- 27 In section 24(1) (marriage not to affect property rights or...
- 28 (1) Amend section 25 (presumption of equal shares in household...
- 29 In section 26 (presumption of equal shares in money and...
- 30 In section 27(1) (interpretation)— (a) at the appropriate places insert

Part 3 — AMENDMENTS OF THE BANKRUPTCY (SCOTLAND) ACT 1985  
(C. 66)

- 31 In section 16(4) (presentation of petition for recall of sequestration),...
- 32 In section 17(8)(b) (duties of clerk of court in relation...
- 33 In section 20(4) (powers of interim trustee in relation to...
- 34 In section 32(3)(b) (the expression “relevant obligations”), at the end...
- 35 In section 34(7) (gratuitous alienations: saving for operation of Married...
- 36 (1) Amend section 40 (power of permanent trustee in relation...
- 37 After section 41 insert— Protection of rights of civil partner...
- 38 In section 44(1)(b) (request for order requiring private examination of...
- 39 In section 51(3)(b) (meaning of “postponed debt”), at the end...
- 40 In section 74 (interpretation), in each of subsections (2) and...
- 41 (1) Amend Schedule 1 (determination of amount of creditor’s claim)...

Part 4 — MISCELLANEOUS AMENDMENTS

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*Damages (Scotland) Act 1976 (c. 13)*

- 42 (1) In Schedule 1 (definition of “relative”), amend paragraph 1...

*Marriage (Scotland) Act 1977 (c. 15)*

- 43 Amend section 3 (notice of intention to marry) as follows—...  
44 In section 5(4)(b) (ground on which there is a legal...

*Presumption of Death (Scotland) Act 1977 (c. 27)*

- 45 (1) Amend section 1(3) (jurisdiction of Court of Session to...  
46 (1) Amend section 3 (effect of decree) as follows.

*Administration of Justice Act 1982 (c. 53)*

- 47 In section 13(1) (interpretation), in the definition of “relative”, after...

*Rent (Scotland) Act 1984 (c. 58)*

- 48 In Schedule 1 (statutory tenants by succession)—  
49 In Schedule 1A (statutory or statutory assured tenants by succession:...

*Mental Health (Scotland) Act 1984 (c. 36)*

- 50 (1) Amend section 53 (definition of “relative” and “nearest relative”)...  
51 In section 54 (children and young persons in care of...

*Housing Associations Act 1985 (c. 69)*

- 52 (1) Amend section 105 (meaning of “member of a person’s...

*Debtors (Scotland) Act 1987 (c. 18)*

- 53 In section 106 (interpretation), in paragraph (a) of the definition...

*Housing (Scotland) Act 1987 (c. 26)*

- 54 In section 83 (“members of a person’s family”)—

*Civil Evidence (Scotland) Act 1988 (c. 32)*

- 55 (1) Amend section 8 (evidence in actions concerning family relationships,...

*Housing (Scotland) Act 1988 (c. 43)*

- 56 (1) Amend section 31 (right of succession of spouse) as...  
57 In Part 1 of Schedule 5 (grounds on which sheriff...

*Crofters (Scotland) Act 1993 (c. 44)*

- 58 In section 61(2) (interpretation), for “or husband” substitute “ ,...

*Civil Evidence (Family Mediation) (Scotland) Act 1995 (c. 6)*

- 59 In section 1(2) (inadmissibility in civil proceedings of information as...

*Status: Point in time view as at 23/09/2022.*

*Changes to legislation: Civil Partnership Act 2004 is up to date with all changes known to be in force on or before 05 August 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)*

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*Children (Scotland) Act 1995 (c. 36)*

- 60 (1) Amend section 12 (restrictions on decrees for divorce, separation...  
61 In section 54(2) (reference to the Principal Reporter by court),...

*Sexual Offences (Amendment) Act 2000 (c. 44)*

- 62 In section 3(2)(c) (abuse of position of trust: defence), after...

*Housing (Scotland) Act 2001 (asp 10)*

- 63 In section 31(c) (effect of work on rent)—  
64 (1) Amend section 108 (meaning of “family” etc.) as follows...  
65 (1) Amend Schedule 2 (grounds for recovery of possession of...  
66 In Schedule 3 (succession: qualified persons), in paragraph 2(1)(a)—

*Criminal Justice (Scotland) Act 2003 (asp 7)*

- 67 (1) Amend section 14 (victim statements) as follows.

*Agricultural Holdings (Scotland) Act 2003 (asp 11)*

- 68 (1) Amend section 71 (meaning of “family”) as follows.

*Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13)*

- 69 (1) Amend section 254 (meaning of “nearest relative”) as follows...  
70 In section 313(5)(a)(ii) (defence in respect of sexual offence), after...

SCHEDULE 29 — Minor and consequential amendments: Northern Ireland

*Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))*

- 1 In section 46 (miscellaneous definitions), in subsection (2), after the...

*Trustee Act (Northern Ireland) 1958 (c. 23 (N.I.))*

- 2 (1) Amend section 32(3)(a) (trust on reaching 18 or marrying...  
3 (1) Amend section 34(1)(b) (trust to maintain principal beneficiary  
and...

*Perpetuities Act (Northern Ireland) 1966 (c. 2 (N.I.))*

- 4 (1) Amend section 3 (uncertainty as to remoteness) as follows...  
5 (1) Amend section 5 (condition relating to death of surviving...

*Office and Shop Premises Act (Northern Ireland) 1966 (c. 26 (N.I.))*

- 6 In section 2 (exception for premises in which only employer’s...

*Maintenance and Affiliation Orders Act (Northern Ireland) 1966 (c. 35 (N.I.))*

- 7 In section 10 (orders to which Part 2 of the...  
8 (1) Amend section 13 (variation of orders registered in courts...

*Census Act (Northern Ireland) 1969 (c. 8 (N.I.))*

- 9 In the Schedule (matters of which particulars may be required),...

*Status: Point in time view as at 23/09/2022.*

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*Theft Act (Northern Ireland) 1969 (c. 16 (N.I.))*

- 10 (1) Amend section 29(1) (effect on civil proceedings and rights)...

*Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24 (N.I.))*

- 11 (1) Amend section 22 (nomination to property in society) as...  
12 In the definition of “member of the family” in section...

*Land Registration Act (Northern Ireland) 1970 (c. 18 (N.I.))*

- 13 In Schedule 11 (matters required to be registered in the...

*Leasehold (Enlargement and Extension) Act (Northern Ireland) 1971 (c. 7 (N.I.))*

- 14 In section 1 (general right to acquire fee simple or...  
15 In section 19 (restrictions on right to extension of lease...

*Civil Evidence Act (Northern Ireland) 1971 (c. 36 (N.I.))*

- 16 (1) Amend section 10 (privilege against incrimination of self or...

*Local Government Act (Northern Ireland) 1972 (c. 9 (N.I.))*

- 17 In section 30 (relatives of councillors), in subsection (6) (relevant...  
18 In section 146 (interpretation: pecuniary interests), in subsection (2) (interests...

*Employer’s Liability (Defective Equipment and Compulsory Insurance) (Northern Ireland) Order 1972 (S.I. 1972/963 (N.I. 6))*

- 19 In Article 6(a) (persons whom employer is not required to...

*Births and Deaths Registration (Northern Ireland) Order 1976 (S.I. 1976/1041 (N.I. 14))*

- 20 In Article 2(2) (interpretation), in the definition of “relative”, after...

*Sex Discrimination (Northern Ireland) Order 1976 (S.I. 1976/1042 (N.I. 15))*

- 21 In Article 2(6) (meaning of “near relative”)—

*Pharmacy (Northern Ireland) Order 1976 (S.I. 1976/1213 (N.I. 22))*

- 22 In Article 3(3)(e)(iii) (objects of Pharmaceutical Society include providing relief...

*Criminal Damage (Northern Ireland) Order 1977 (S.I. 1977/426 (N.I. 4))*

- 23 (1) Amend Article 11 (evidence in connection with offences under...

*Judicature (Northern Ireland) Act 1978 (c. 23)*

- 24 In section 31 (remittal and removal of proceedings), in subsection...  
25 (1) Amend section 35(2) (restrictions on appeals to Court of...  
26 (1) Amend section 94A (withdrawal of privilege against incrimination of...



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*Health and Safety at Work (Northern Ireland) Order 1978 (S.I. 1978/1039 (N.I. 9))*

27 In Article 22 (powers of inspectors), in paragraph (7), for...

*Matrimonial Causes (Northern Ireland) Order 1978 (S.I. 1978/1045 (N.I. 15))*

- 28 (1) Insert after Article 2(4)— (4A) References in this Order...
- 29 In Article 13 (grounds on which marriage is void), at...
- 30 (1) Amend Article 17 (marriages governed by foreign law or...
- 31 (1) Amend Article 30 (duration of continuing financial provision orders...
- 32 In Article 37 (alteration of agreements by court during lives...
- 33 (1) Amend Article 40 (orders for repayment in certain cases...

*Rehabilitation of Offenders (Northern Ireland) Order 1978 (S.I. 1978/1908 (N.I. 27))*

34 In Article 8 (limitations on rehabilitation), in paragraph (2)(c), after...

*Criminal Appeal (Northern Ireland) Act 1980 (c. 47)*

35 In section 47A (appeals in cases of death), in subsection...

*County Courts (Northern Ireland) Order 1980 (S.I. 1980/397 (N.I. 3))*

- 36 In Article 10 (general civil jurisdiction), after paragraph (3) insert—...
- 37 In Article 14 (jurisdiction in equity matters), in paragraph (j),...
- 38 In Article 39 (capacity of parties), in paragraph (2)(d), after...

*Domestic Proceedings (Northern Ireland) Order 1980 (S.I. 1980/563 (N.I. 5))*

- 39 In Article 6 (duration of orders for financial provision for...
- 40 (1) Amend Article 40 (orders for repayment in certain cases...

*Judgments Enforcement (Northern Ireland) Order 1981 (S.I. 1981/226 (N.I. 6))*

- 41 In Article 4 (judgments to which Order applies), in paragraph...
- 42 In Article 6 (judgments to which Order does not apply),...
- 43 In Article 7 (The Enforcement of Judgments Office), in paragraph...
- 44 In Article 25 (taking custody of goods under a money...
- 45 In Article 32 (property which may be seized), in paragraph...
- 46 In Article 33 (property exempt from seizure), in paragraph (a),...
- 47 In Article 36 (where seizure may be effected), in paragraph...
- 48 In Article 38 (power of entry under order of seizure),...
- 49 In Article 44 (interpleader), in paragraph (1), after “spouse” insert...
- 50 .....
- 51 (1) Amend Article 98 (power of courts to make attachment...
- 52 (1) Amend Article 107 (committal for default) as follows.

*Legal Aid, Advice and Assistance (Northern Ireland) Order 1981 (S.I. 1981/228 (N.I. 8))*

- 53 In Article 14(4) (resources of person’s wife or husband treated...
- 54 In Part 1 of Schedule 1 (proceedings for which legal...

*Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26))*

- 55 In Article 85 (orders for periodical payment: means of payment),...
- 56 In Article 86 (revocation, variation, etc., of orders for periodical...

*Status: Point in time view as at 23/09/2022.*

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- 57 In Article 88 (nature of domestic proceedings), after paragraph (dh),...
- 58 In Article 98 (enforcement of orders for periodical payment of...
- 59 In Article 99 (enforcement of orders for payment of money...
- 60 In Article 143 (appeals in other cases), after paragraph (3)...
- 61 In Article 164 (appearance by counsel or solicitor), in paragraph...

*Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 (S.I. 1983/1120 (N.I. 13))*

- 62 In Article 10 (exemptions from liability for conspiracy), in paragraph...

*Forfeiture (Northern Ireland) Order 1982 (S.I. 1982/1082 (N.I. 14))*

- 63 In Article 5 (application for financial provision not affected by...

*Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 (S.I. 1984/1984 (N.I. 14))*

- 64 (1) Amend Article 18 (prohibited degrees of relationship) as follows....

*Credit Unions (Northern Ireland) Order 1985 (S.I. 1985/1205 (N.I. 12))*

- 65 (1) Amend Article 2(2) (interpretation) as follows.
- 66 (1) Amend Article 17 (nomination to property in credit union)...

*Mental Health (Northern Ireland) Order 1986 (S.I. 1986/595 (N.I. 4))*

- 67 (1) Amend Schedule 1 (persons by whom a medical recommendation...

*Companies (Northern Ireland) Order 1986 (S.I. 1986/1032 (N.I. 6))*

- 68 (1) Amend Article 10A (meaning of “offer to the public”)...
- 69 In Article 11 (employees' share scheme), in paragraph (b), for...
- 70 In Article 211 (notification of family and corporate interests), in...
- 71 (1) Amend Article 335 (extension of Article 331 to spouses...
- 72 (1) Amend Article 336 (extension of Article 332 to spouses...
- 73 In Article 354 (connected persons) in paragraph (2)—
- 74 In Article 423E (associates), in paragraph (8) after “spouse” insert...
- 75 In Schedule 7 (matters to be dealt with in directors'...

*Enduring Powers of Attorney (Northern Ireland) Order 1987 (S.I. 1987/1627 (N.I. 16))*

- 76 In Article 5 (scope of authority etc. of attorney under...
- 77 (1) Amend paragraph 2(1) of Schedule 1 (persons entitled to...
- 78 Paragraphs 76 and 77 apply in relation to the exercise...

*Matrimonial and Family Proceedings (Northern Ireland) Order 1989 (S.I. 1989/677 (N.I. 4))*

- 79 (1) Amend Article 16 (applications for financial relief after overseas...

*Insolvency (Northern Ireland) Order 1989 (S.I. 1989/2405 (N.I. 19))*

- 80 (1) Amend Article 4 (meaning of “associate”) as follows.
- 81 In Article 179 (proceedings under Article 177 and 178), in...
- 82 In Article 286 (charge on bankrupt's home), in paragraph (1),...
- 83 (1) Amend Article 302 (debts to spouse) as follows.
- 84 In Article 305 (saving for bankrupt's home), in paragraph (1),...
- 85 In Article 312 (transactions at an undervalue), in paragraph (3)(b),...

*Status: Point in time view as at 23/09/2022.*

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- 86 In Article 337 (inquiry into bankrupt's dealings and property), in...
- 87 In Article 367 (transactions defrauding creditors), in paragraph (1)(b), after...

*Police and Criminal Evidence (Northern Ireland) Order 1989 (S.I. 1989/1341 (N.I. 12))*

- 88 (1) Amend Article 79 (compellability of accused's spouse) as follows....
- 89 In Article 79A (rule where accused's spouse not compellable)—

*Companies (Northern Ireland) Order 1990 (S.I. 1990/593 (N.I. 5))*

- 90 In Article 54 (meaning of "associate"), in paragraph (2)(a) after...

*Food Safety (Northern Ireland) Order 1991 (S.I. 1991/762 (N.I. 7))*

- 91 In Article 42 (continuance of registration or licence on death),...

*Industrial Relations (Northern Ireland) Order 1992 (S.I. 1992/807 (N.I.5))*

- 92 In Article 23 (recovery of sums awarded in proceedings involving...

*Pension Schemes (Northern Ireland) Act 1993 (c. 49)*

- 93 In section 97E (discharge of liability where pension credit or...

*Family Law (Northern Ireland) Order 1993 (S.I. 1993/1576 (N.I. 6))*

- 94 (1) In Article 12 (family proceedings rules), amend paragraph (3)(g)...

*Children (Northern Ireland) Order 1995 (S.I. 1995/755 (N.I. 2))*

- 95 In Article 8 (residence, contact and other orders with respect...
- 96 In Article 50 (care orders and supervision orders), in paragraph...
- 97 In Article 67 (powers to assist in discovery of children...
- 98 In Article 69 (recovery of abducted children, etc.), in paragraph...
- 99 In Article 166 (appeals), at the end of paragraph (2)(b)...
- 100 In Article 171 (self-incrimination), in paragraph (2), after "spouse" insert...

*Trade Union and Labour Relations (Northern Ireland) Order 1995(S.I.1995/1980 (N.I.12))*

- 101 In Article 125 (intimidation or annoyance by violence or otherwise),...

*Employment Rights (Northern Ireland) Order 1996 (S.I. 1996/1919 (N.I. 16))*

- 102 In Article 85A (time off for dependants), in paragraph (3)(a),...
- 103 In Article 248 (institution or continuance of tribunal proceedings), in...

*Registration of Clubs (Northern Ireland) Order 1996 (S.I. 1996/3159 (N.I. 23))*

- 104 In Schedule 1 (provisions to be included in rules of...

*Race Relations (Northern Ireland) Order 1997 (S.I. 1997/869 (N.I. 6))*

- 105 In Article 23(7) (exceptions: meaning of "near relative")—

*Fair Employment and Treatment (Northern Ireland) Order 1998 (S.I. 1998/3162 (N.I. 21))*

- 106 In Article 30(7) (exceptions: meaning of "near relative")—

*Status: Point in time view as at 23/09/2022.*

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- 107 In Article 69(3)(c) (interpretation: connected person), after “wife or husband”...

*Welfare Reform and Pensions (Northern Ireland) Order 1999 (S.I. 1999/3147 (N.I. 11))*

- 108 (1) Amend Article 21 (supply of pension information in connection...  
109 (1) Amend Article 22 (charges by pension arrangements in relation...  
110 (1) Amend Article 25 (activation of pension sharing) as follows....  
111 (1) Amend Article 31 (“implementation period”) as follows.  
112 (1) Amend Article 45 (activation of benefit sharing) as follows....

*Housing (Northern Ireland) Order 2003 (S.I. 2003/412 (N.I. 2))*

- 113 In Article 85 (meaning of exempt disposal), after paragraph (3)(d)...

*Marriage (Northern Ireland) Order 2003 (S.I. 2003/413 (N.I. 3))*

- 114 (1) Amend Article 5 (power to require evidence) as follows....  
115 In Article 6 (objections), in paragraph (6)(b), after “married” insert...

*Access to Justice (Northern Ireland) Order 2003 (S.I. 2003/435 (N.I. 10))*

- 116 In Article 39 (conditional fee agreements: supplementary), in paragraph (2)...

*Firearms (Northern Ireland) Order 2004 (S.I. 2004/702 (N.I. 3))*

- 117 In Article 2(2) (interpretation), in the definition of “relative”—

SCHEDULE 30 — Repeals and revocations

**Status:**

Point in time view as at 23/09/2022.

**Changes to legislation:**

Civil Partnership Act 2004 is up to date with all changes known to be in force on or before 05 August 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.