

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

CIVIL PARTNERSHIP ACT 2004

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedules

Schedule 24 – Social security, child support and tax credits

Part 2 – Amendments of the [Child Support \(Northern Ireland\) Order 1991 \(S.I. 1991/2628 \(N.I. 23\)\)](#)

791. *Paragraph 7* amends Article 3(2) of the Child Support (Northern Ireland) Order 1991 (“CSO 1991”). The amendments provide for persons who are or have been civil partners to be excluded from the definition of “child” for the purposes of CSO 1991 in the same way as persons who are or have been married.
792. *Paragraph 8* amends Article 10(11) of the CSO 1991 which concerns the role of the courts with respect to maintenance for children. The amendment inserts a reference to the Civil Partnership Act 2004.
793. *Paragraph 9* amends Article 17(7) of CSO 1991. This amendment extends the rule against self-incrimination, as it applies to married persons, to civil partners, where an inspector questions a person or requires that person to produce evidence in exercise of his powers under Article 17.
794. *Paragraphs 10 to 12* amend paragraph 6(5)(b) (old scheme) and 10C (new scheme) of Schedule 1 to CSO 1991. These definitions are central to the operation of the legislation and go directly to the purposes of the Order, which is the provision of child support maintenance. The amendments will ensure that same-sex civil partners and same-sex couples living together as if they were civil partners will be treated in the same way as opposite-sex couples living together in the same household. Paragraph 12 also amends Schedule 1 to the [Child Support Pensions and Social Security Act \(Northern Ireland\) 2000 \(c. 4 N.I.\)](#) in the same way.