



Civil Partnership Act 2004

2004 CHAPTER 33

PART 5

CIVIL PARTNERSHIP FORMED OR DISSOLVED ABROAD ETC.

CHAPTER 3

DISSOLUTION ETC.: JURISDICTION AND RECOGNITION

Introduction

219 Power to make provision corresponding to EC Regulation 2201/2003

- (1) The Lord Chancellor may by regulations make provision—
 - (a) as to the jurisdiction of courts in England and Wales or Northern Ireland in proceedings for the dissolution or annulment of a civil partnership or for legal separation of the civil partners in cases where a civil partner—
 - (i) is or has been habitually resident in a member State,
 - (ii) is a national of a member State, or
 - (iii) is domiciled in a part of the United Kingdom or the Republic of Ireland, and
 - (b) as to the recognition in England and Wales or Northern Ireland of any judgment of a court of another member State which orders the dissolution or annulment of a civil partnership or the legal separation of the civil partners.
- (2) The Scottish Ministers may by regulations make provision—
 - (a) as to the jurisdiction of courts in Scotland in proceedings for the dissolution or annulment of a civil partnership or for legal separation of the civil partners in such cases as are mentioned in subsection (1)(a), and
 - (b) as to the recognition in Scotland of any such judgment as is mentioned in subsection (1)(b).

Status: This is the original version (as it was originally enacted).

- (3) The regulations may in particular make provision corresponding to that made by Council Regulation (EC) No 2201/2003 of 27th November 2003 in relation to jurisdiction and the recognition and enforcement of judgments in matrimonial matters.
- (4) The regulations may provide that for the purposes of this Part and the regulations “member State” means—
 - (a) all member States with the exception of such member States as are specified in the regulations, or
 - (b) such member States as are specified in the regulations.
- (5) The regulations may make provision under subsections (1)(b) and (2)(b) which applies even if the date of the dissolution, annulment or legal separation is earlier than the date on which this section comes into force.
- (6) Regulations under subsection (1) are to be made by statutory instrument and may only be made if a draft has been laid before and approved by resolution of each House of Parliament.
- (7) Regulations under subsection (2) are to be made by statutory instrument and may only be made if a draft has been laid before and approved by resolution of the Scottish Parliament.
- (8) In this Part “section 219 regulations” means regulations made under this section.