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*Status: Point in time view as at 01/03/2015.*

*Changes to legislation: Civil Partnership Act 2004, Paragraph 10 is up to date with all changes known to be in force on or before 28 June 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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## SCHEDULES

### SCHEDULE 9

#### FAMILY HOMES AND DOMESTIC VIOLENCE

##### PART 1

###### AMENDMENTS OF THE FAMILY LAW ACT 1996 (C. 27)

- 10 (1) In section 44 (evidence of agreement to marry), after subsection (2) insert—
- “(3) Subject to subsection (4), the court shall not make an order under section 33 or 42 by virtue of section 62(3)(eza) unless there is produced to it evidence in writing of the existence of the civil partnership agreement (as defined by section 73 of the Civil Partnership Act 2004).
- (4) Subsection (3) does not apply if the court is satisfied that the civil partnership agreement was evidenced by—
- (a) a gift by one party to the agreement to the other as a token of the agreement, or
  - (b) a ceremony entered into by the parties in the presence of one or more other persons assembled for the purpose of witnessing the ceremony.”
- (2) In the heading to section 44, after “marry” insert “ or form a civil partnership ”.

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