



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 2

DISSOLUTION, NULLITY AND OTHER PROCEEDINGS

Introduction

[^{F1}37A Dissolution on ground of breakdown: conditional and final orders

- (1) Every dissolution order—
 - (a) is, in the first instance, a conditional order, and
 - (b) may not be made final before the end of the period of 6 weeks from the making of the conditional order (the “first prescribed period”).
- (2) The court may not make a conditional order unless—
 - (a) in the case of an application that is to proceed as an application by one civil partner only, that person has confirmed to the court that they wish the application to continue, or
 - (b) in the case of an application that is to proceed as an application by both civil partners, those persons have confirmed to the court that they wish the application to continue;and a person may not give confirmation for the purposes of this subsection before the end of the period of 20 weeks from the start of proceedings (the “second prescribed period”).
- (3) The Lord Chancellor may by order amend this section so as to substitute—
 - (a) a different definition of the first prescribed period, or
 - (b) a different definition of the second prescribed period.

Changes to legislation: Civil Partnership Act 2004, Section 37A is up to date with all changes known to be in force on or before 19 May 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) View outstanding changes

- (4) But the Lord Chancellor may not under subsection (3) provide for a period which would result in the total number of days in the first and second prescribed periods (taken together) exceeding 26 weeks.
- (5) In a particular case the court dealing with the case may by order shorten the first prescribed period or the second prescribed period.
- (6) The power to make an order under subsection (3) is exercisable by statutory instrument.
- (7) An instrument containing such an order may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.]

Textual Amendments

- F1** S. 37A inserted (6.4.2022) by [Divorce, Dissolution and Separation Act 2020 \(c. 11\)](#), [ss. 4\(3\), 8\(1\)\(8\)](#) (with [s. 8\(7\)](#)); [S.I. 2022/283](#), [reg. 2](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)