



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 2

#### CIVIL PARTNERSHIP: ENGLAND AND WALES

### CHAPTER 6

#### MISCELLANEOUS

#### **83 Fatal accidents claims**

- (1) Amend the Fatal Accidents Act 1976 (c. 30) as follows.
- (2) In section 1(3) (meaning of “dependant” for purposes of right of action for wrongful act causing death), after paragraph (a) insert—
  - “(aa) the civil partner or former civil partner of the deceased;”.
- (3) In paragraph (b)(iii) of section 1(3), after “wife” insert “ or civil partner ”.
- (4) After paragraph (f) of section 1(3) insert—
  - “(fa) any person (not being a child of the deceased) who, in the case of any civil partnership in which the deceased was at any time a civil partner, was treated by the deceased as a child of the family in relation to that civil partnership;”.
- (5) After section 1(4) insert—
  - “(4A) The reference to the former civil partner of the deceased in subsection (3) (aa) above includes a reference to a person whose civil partnership with the deceased has been annulled as well as a person whose civil partnership with the deceased has been dissolved.”
- (6) In section 1(5)(a), for “by affinity” substitute “ by marriage or civil partnership ”.

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**Status:** Point in time view as at 16/05/2018.

**Changes to legislation:** Civil Partnership Act 2004, Section 83 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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- (7) In section 1A(2) (persons for whose benefit claim for bereavement damages may be made)—
- (a) in paragraph (a), after “wife or husband” insert “ or civil partner ”, and
  - (b) in paragraph (b), after “was never married” insert “ or a civil partner ”.
- (8) In section 3 (assessment of damages), in subsection (4), after “wife” insert “ or civil partner ”.

**Status:**

Point in time view as at 16/05/2018.

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