



Victims and Prisoners Act 2024

2024 CHAPTER 21

PART 4

PRISONERS

Whole life prisoners prohibited from forming a marriage or civil partnership

PROSPECTIVE

76 Whole life prisoners prohibited from forming a civil partnership

(1) Section 3 of the Civil Partnership Act 2004 (eligibility) is amended in accordance with subsections (2) to (4).

(2) In subsection (1)—

- (a) omit the “or” at the end of paragraph (c), and
- (b) after paragraph (d) insert “, or
- (c) either of them is serving a life sentence in a prison or other place of detention and is subject to a whole life order.”

(3) After subsection (1) insert—

“(1A) But two people are not ineligible to register as civil partners of each other by reason of either of them falling within paragraph (e) of subsection (1) if each of them falling within that paragraph has permission from the Secretary of State to register as a civil partner of the other.

(1B) The Secretary of State may not give permission under subsection (1A) unless satisfied that exceptional circumstances exist which justify the permission being given.”

(4) After subsection (2) insert—

“(3) In this section—

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Victims and Prisoners Act 2024, Section 76. (See end of Document for details)

“life sentence” has the meaning given by section 34(2) of the Crime (Sentences) Act 1997;

“whole life order” means an order that section 28(5) to (8) of that Act (early release of person serving life sentence) is not to apply to a person.

- (4) A person is to be treated for the purposes of this section as being subject to a whole life order if—
- (a) the person is serving a life sentence passed before 18 December 2003,
 - (b) the sentence was passed in circumstances where the sentence was fixed by law,
 - (c) before 18 December 2003 the person was notified in writing by the Secretary of State (otherwise than in a notice expressed to be provisional) that the Secretary of State does not intend that the person should ever be released on licence, and
 - (d) an order has not been made in relation to the sentence under paragraph 3(1)(a) of Schedule 22 to the Criminal Justice Act 2003 (mandatory life sentences: transitional cases).”
- (5) In section 9F of the Civil Partnership Act 2004 (recording of information in the register: compliance with requirements), at the appropriate place insert—
- “section 19(5A);”.
- (6) Section 19 of the Civil Partnership Act 2004 (detained persons) is amended in accordance with [subsections \(7\) to \(9\)](#).
- (7) In subsection (4) (supporting statement)—
- (a) omit the “and” at the end of paragraph (a);
 - (b) after paragraph (b) insert “, and
 - (c) states whether the person is serving a life sentence and, if so, whether the person is subject to a whole life order.”
- (8) After subsection (5) insert—
- “(5A) Where the detained person is serving a life sentence and is subject to a whole life order, each notice of proposed civil partnership must also be accompanied by a statement made by the Secretary of State not more than 21 days before the day on which the notice is recorded stating that the detained person has the permission required by section 3(1A).
- (5B) The fact that the registration authority to whom a notice of proposed civil partnership is given has received a statement under [subsection \(5A\)](#) must be recorded in the register.”
- (9) After subsection (7) insert—
- “(7A) “Life sentence” and “whole life order” have the meanings given by section 3(3) of this Act and section 3(4) (persons treated as being subject to a whole life order) applies for the purposes of this section.”

Commencement Information

II S. 76 not in force at Royal Assent, see [s. 81\(2\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

There are currently no known outstanding effects for the Victims and Prisoners Act 2024, Section 76.