

Ellisons

SOLICITORS

Essential Information Leaflet: Civil Partnerships

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What is Civil Partnership?

The Civil Partnership Act 2004 gives legal recognition to gay and lesbian couples who have decided that they wish to enter into a lifelong commitment to each other by becoming Civil Partners. Although legally it is not marriage, a Civil Partnership has the same legal effect.

Who can become a Civil Partner?

Both of you must be of the same sex, over 18 years old or over 16 years old (with parental consent). You must not already be in an existing civil partnership or marriage and must not be related to each other.

It is not possible for heterosexual couples to enter into a Civil Partnership. See our leaflet Family matters: Cohabitation.

Why should we become Civil Partners?

If you register as Civil Partners, you gain a number of legal rights, such as equal treatment for tax purposes, including Inheritance Tax, and equal treatment for child support and state benefits, survivor pensions, fatal accidents compensation, and recognition of immigration and nationality status.

Should we have a Pre-Nuptial Agreement?

Just as with Pre-Nuptial Agreements for husband and wives, Pre-Civil Partnership Agreements are becoming much more common with same-sex couples. It is always worth considering whether you should enter into this type of Agreement before you commit to someone. The legal position in relation to this type of Agreement is complex and you should seek legal advice about whether to do this as early as possible.

How does a Civil Partnership end?

A Civil Partnership will end as a result of death, nullity or by dissolution. Dissolution of a Civil partnership is the equivalent of divorce proceeds, and there is very little legal difference between the two.

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