

Law on Civil Partnerships

From December 2005, same sex couples have been able to enter into legal relationships called 'Civil Partnerships'. The law involving Civil Partnerships is similar in many ways to marriage, but with some key differences.

The ceremony

The Civil Partnership ceremony is similar to a civil wedding ceremony – it involves both parties signing a civil partnership document in front of a Registrar and two witnesses. However, unlike marriage, civil partnerships cannot involve religion. This means the ceremony cannot involve hymns, prayers or religious symbols. The most common place to hold a ceremony is in a Register Office. However, following the Equality Act 2010, the ceremony can take place in a religious venue with the proprietor's permission.

Rights during the Civil Partnership

The rights of civil partners mirror the rights of husbands and wives in relation to pensions, inheritance, tax exemptions etc. as the statutes involving these rights were all amended to include civil partnerships when the Civil Partnership Act came into force.

A same-sex couple are able to jointly adopt a child (whether civil partners or not) following the Adoption and Children Act 2002. They are also able to register as joint parents of a child born via a surrogate or using donor eggs, semen or embryos in a fertility clinic. Should a civil partner not be automatically seen as the parent of their partner's child, they can apply for parental rights at court.

Dissolution of the partnership

To end a civil partnership, a civil partner must apply for a dissolution order. The laws and procedure involved in dissolution are largely the same as in a divorce (please see [[link to 'Divorce Procedure'](#)]).

The one major difference in dissolution of a civil partnership is that you are not able to rely on the fact of adultery. This was decided as adultery has been defined as sexual intercourse between a man and a woman, and was therefore seen to be irrelevant to civil partners. However, adulterous can be cited as proof of unreasonable behaviour.

The first stage of a civil partnership is called a Conditional Order and is equivalent to a Decree Nisi in divorce. The final stage, equivalent to a Decree Absolute, is called a Final Order.

Not all courts which deal with divorce have jurisdiction to dissolve civil partnerships. This means that you may not be able to apply for dissolution at your local court. Your legal adviser will be able to find the nearest court where dissolution can be applied for. In many cases, civil partners will not have to attend court and so any potential inconvenience is limited.