

SCHEDULES

SCHEDULE 18

Amendments relating to Article 15(1) to (4) etc

PART 1

Acts of the Parliament of the United Kingdom

Civil Partnership Act 2004

72. Amend the Civil Partnership Act 2004(1) as follows.

Commencement Information

II Sch. 18 para. 72 in force at 12.4.2010, see [art. 1\(2\)](#)

73. In section 219 (dissolution etc: power to make provision corresponding to EC Regulation 2201/2003)—

- (a) in subsection (1)(a) and (b) omit “or Northern Ireland”;
- (b) after subsection (1) insert—
 - “(1A) The Department of Justice in Northern Ireland may by regulations make provision—
 - (a) as to the jurisdiction of courts in Northern Ireland in proceedings for the dissolution or annulment of a civil partnership or for legal separation of the civil partners in such cases as are mentioned in subsection (1)(a), and
 - (b) as to the recognition in Northern Ireland of any such judgment as is mentioned in subsection (1)(b).”;
- (c) in subsection (5) after “(1)(b)” insert “, (1A)(b)”;
- (d) after subsection (6) insert—
 - “(6A) Regulations under subsection (1A) are to be made by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
 - (6B) No regulations shall be made under subsection (1A) unless a draft has been laid before and approved by resolution of the Northern Ireland Assembly.
 - (6C) Section 41(3) of the Interpretation Act (Northern Ireland) 1954 applies for the purposes of subsection (6B) in relation to the laying of a draft as it applies in relation to the laying of a statutory document under an enactment.”

(1) [2004 c. 33](#); Relevant amendments are made to Schedule 15 by the Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13) (N.I.), Schedule 5. Relevant amendments are made to Schedule 16 by [S.I. 2006/1945 \(N.I. 14\)](#) and [S.I. 2006/1016](#).

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Civil Partnership Act 2004. (See end of Document for details)

Commencement Information

I2 Sch. 18 para. 73 in force at 12.4.2010, see [art. 1\(2\)](#)

- 74.** In section 237 (supplementary provisions relating to recognition of dissolution etc)—
- (a) in subsection (2) after “Lord Chancellor” insert “, the Department of Justice in Northern Ireland”;
 - (b) in subsection (3) after “power” insert “of the Lord Chancellor or the Scottish Ministers”;
 - (c) after subsection (4) insert—
 - “(4A) The power of the Department of Justice in Northern Ireland to make regulations under subsection (2) is exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.
 - “(4B) Regulations made by the Department of Justice under subsection (2) are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954.”

Commencement Information

I3 Sch. 18 para. 74 in force at 12.4.2010, see [art. 1\(2\)](#)

- 75.—**(1) Amend Schedule 15 (financial relief in the High Court or a county court etc: Northern Ireland) as follows.
- (2) In paragraph 14(4) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.
 - (3) In paragraph 23(4) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.
 - (4) In paragraph 31(3) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.
 - (5) In paragraph 50(5) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.

Commencement Information

I4 Sch. 18 para. 75 in force at 12.4.2010, see [art. 1\(2\)](#)

- 76.** In paragraph 2(4) of Schedule 16 (financial relief in court of summary jurisdiction: Northern Ireland) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.

Commencement Information

I5 Sch. 18 para. 76 in force at 12.4.2010, see [art. 1\(2\)](#)

- 77.** In paragraph 14(6) of Schedule 17 (financial relief in Northern Ireland after overseas dissolution etc of civil partnership) for the words from “annulment” to “accordingly” substitute “negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954”.

Changes to legislation: There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Civil Partnership Act 2004. (See end of Document for details)

Commencement Information

I6 Sch. 18 para. 77 in force at 12.4.2010, see [art. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Civil Partnership Act 2004.