



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 4

CIVIL PARTNERSHIP AGREEMENTS

73 Civil partnership agreements unenforceable

- (1) A civil partnership agreement does not under the law of England and Wales have effect as a contract giving rise to legal rights.
- (2) No action lies in England and Wales for breach of a civil partnership agreement, whatever the law applicable to the agreement.
- (3) In this section and section 74 “civil partnership agreement” means an agreement between two people—
 - (a) to register as civil partners of each other—
 - (i) in England and Wales (under this Part),
 - (ii) in Scotland (under Part 3),
 - (iii) in Northern Ireland (under Part 4), or
 - (iv) outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 (registration at British consulates etc. or by armed forces personnel), or
 - (b) to enter into an overseas relationship.
- (4) This section applies in relation to civil partnership agreements whether entered into before or after this section comes into force, but does not affect any action commenced before it comes into force.

Changes to legislation: Civil Partnership Act 2004, Chapter 4 is up to date with all changes known to be in force on or before 15 March 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) [View outstanding changes](#)

74 Property where civil partnership agreement is terminated

- (1) This section applies if a civil partnership agreement is terminated.
- (2) Section 65 (contributions by civil partner to property improvement) applies, in relation to any property in which either or both of the parties to the agreement had a beneficial interest while the agreement was in force, as it applies in relation to property in which a civil partner has a beneficial interest.
- (3) Sections 66 and 67 (disputes between civil partners about property) apply to any dispute between or claim by one of the parties in relation to property in which either or both had a beneficial interest while the agreement was in force, as if the parties were civil partners of each other.
- (4) An application made under section 66 or 67 by virtue of subsection (3) must be made within 3 years of the termination of the agreement.
- (5) A party to a civil partnership agreement who makes a gift of property to the other party on the condition (express or implied) that it is to be returned if the agreement is terminated is not prevented from recovering the property merely because of his having terminated the agreement.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)