
Changes to legislation: Civil Partnership Act 2004, Paragraph 15 is up to date with all changes known to be in force on or before 18 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

SCHEDULES

SCHEDULE 4

WILLS, ADMINISTRATION OF ESTATES AND FAMILY PROVISION

PART 2

ADMINISTRATION OF ESTATES AND FAMILY PROVISION

Inheritance (Provision for Family and Dependants) Act 1975 (c. 63)

- 15 (1) Amend section 1 (application for financial provision from deceased person's estate) as follows.
- (2) For subsection (1)(a) and (b) (application may be made by spouse or by former spouse who has not remarried) substitute—
- “(a) the spouse or civil partner of the deceased;
 - (b) a former spouse or former civil partner of the deceased, but not one who has formed a subsequent marriage or civil partnership.”
- (3) In subsection (1)(ba) (application may be made by person living as husband or wife of the deceased), after “subsection (1A)” insert “ or (1B) ”.
- (4) In subsection (1)(d) (application may be made by child of the family), after “marriage” (in each place) insert “ or civil partnership ”.
- (5) After subsection (1A) insert—
- “(1B) This subsection applies to a person if for the whole of the period of two years ending immediately before the date when the deceased died the person was living—
 - (a) in the same household as the deceased, and
 - (b) as the civil partner of the deceased.”
- (6) In subsection (2) (meaning of “reasonable financial provision”), after paragraph (a) insert—
- “(aa) in the case of an application made by virtue of subsection (1)(a) above by the civil partner of the deceased (except where, at the date of death, a separation order under Chapter 2 of Part 2 of the Civil Partnership Act 2004 was in force in relation to the civil partnership and the separation was continuing), means such financial provision as it would be reasonable in all the circumstances of the case for a civil partner to receive, whether or not that provision is required for his or her maintenance;”

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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\(2\)](#)