
Changes to legislation: Civil Partnership Act 2004, Paragraph 27 is up to date with all changes known to be in force on or before 14 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)

- 27 (1) Amend section 25 (interpretation) as follows.
- (2) In subsection (1), in the definition of “former wife” and “former husband”, for “former wife” or “former husband” substitute “former spouse”.
- (3) In that subsection, before that definition insert—
- “former civil partner” means a person whose civil partnership with the deceased was during the lifetime of the deceased either—
- (a) dissolved or annulled by an order made under the law of any part of the British Islands, or
- (b) dissolved or annulled in any country or territory outside the British Islands by a dissolution or annulment which is entitled to be recognised as valid by the law of England and Wales;”.
- (4) In subsection (4)—
- (a) before “wife” insert “ spouse, ” and
- (b) in paragraph (b), for “entered into a later marriage” substitute “ formed a subsequent marriage or civil partnership ”.
- (5) For subsection (5) substitute—
- “(4A) For the purposes of this Act any reference to a civil partner shall be treated as including a reference to a person who in good faith formed a void civil partnership with the deceased unless either—
- (a) the civil partnership between the deceased and that person was dissolved or annulled during the lifetime of the deceased and the dissolution or annulment is recognised by the law of England and Wales, or
- (b) that person has during the lifetime of the deceased formed a subsequent civil partnership or marriage.
- (5) Any reference in this Act to the formation of, or to a person who has formed, a subsequent marriage or civil partnership includes (as the case may be) a reference to the formation of, or to a person who has formed, a marriage or civil partnership which is by law void or voidable.

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(5A) The formation of a marriage or civil partnership shall be treated for the purposes of this Act as the formation of a subsequent marriage or civil partnership, in relation to either of the spouses or civil partners, notwithstanding that the previous marriage or civil partnership of that spouse or civil partner was void or voidable.”

(6) After subsection (6) insert—

“(6A) Any reference in this Act to an order made under, or under any provision of, the Civil Partnership Act 2004 shall be construed as including a reference to anything which is deemed to be an order made (as the case may be) under that Act or provision.”

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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\(2\)](#)