



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 2

DISSOLUTION, NULLITY AND OTHER PROCEEDINGS

Dissolution of civil partnership

44 Dissolution of civil partnership which has broken down irretrievably

(1) Subject to section 41, an application for a dissolution order may be made to the court by [^{F1}either or both civil partners] on the ground that the civil partnership has broken down irretrievably.

[^{F2}(1A) An application under subsection (1) must be accompanied by a statement by the applicant or applicants that the civil partnership has broken down irretrievably.]

^{F3}(2)

^{F4}(3)

(4) [^{F5}The court dealing with an application under subsection (1) must—
(a) take the statement to be conclusive evidence that the civil partnership has broken down irretrievably, and
(b) make a dissolution order.]

^{F6}(5)

[^{F7}(6) Without prejudice to the generality of section 75 of the Courts Act 2003, Family Procedure Rules may make provision as to the procedure for an application under subsection (1) by both civil partners to become an application by one civil partner only

Changes to legislation: Civil Partnership Act 2004, Section 44 is up to date with all changes known to be in force on or before 16 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

(including provision for a statement made under subsection (1A) in connection with the application to be treated as made by one civil partner only).]

Textual Amendments

- F1** Words in s. 44(1) substituted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(2), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F2** S. 44(1A) inserted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(3), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F3** S. 44(2) omitted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by virtue of Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(4), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F4** S. 44(3) omitted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by virtue of Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(4), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F5** S. 44(4) substituted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(5), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F6** S. 44(5) omitted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by virtue of Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(6), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2
- F7** S. 44(6) inserted (25.6.2020 for specified purposes, 6.4.2022 in so far as not already in force) by Divorce, Dissolution and Separation Act 2020 (c. 11), ss. 3(7), 8(3)(b) (with s. 8(7)); S.I. 2022/283, reg. 2

Changes to legislation:

Civil Partnership Act 2004, Section 44 is up to date with all changes known to be in force on or before 16 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.

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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\(2\)](#)