

2005 No. 1112 (C.47)

CIVIL PARTNERSHIP

**The Civil Partnership Act 2004 (Commencement No. 1) Order
2005**

Made - - - -

3rd April 2005

The Secretary of State, in exercise of the powers conferred upon her by section 263 of the Civil Partnership Act 2004^(a), and, with respect to the provisions set out in Schedule 2 to this Order, after having consulted the Scottish Ministers and the Department of Finance and Personnel in Northern Ireland, hereby makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Civil Partnership Act 2004 (Commencement No. 1) Order 2005.

(2) In this Order—

- (a) “the Act” means the Civil Partnership Act 2004; and
- (b) references to Parts, sections, subsections and Schedules are, unless otherwise stated, references to Parts, sections and subsections of, and Schedules to, the Act.

Provisions coming into force on 15th April 2005

2.—(1) Subject to paragraph (2) the provisions of the Act specified in the first column of Schedule 1 to this Order (which specifies powers the commencement of which is not subject to consultation) and the first column of Schedule 2 to this Order (which specifies powers the commencement of which is subject to consultation) shall come into force on 15th April 2005.

(2) Where a particular purpose is specified in relation to a provision in the second column of Schedule 1, or as the case may be the second column of Schedule 2 to this Order, the provision concerned shall come into force on that date only for that purpose. Where no particular purpose is specified the provision concerned shall come into force on that date for all purposes.

Jacqui Smith

Minister of State for Industry and the Regions and Deputy Minister for Women and Equality
3rd April 2005 Department of Trade and Industry

^(a) 2004 c. 33.

SCHEDULE 1

Article 2

Provisions of the Act (not subject to consultation requirement) coming into force on 15th April 2005

<i>Column 1 - Provisions</i>	<i>Column 2 - purpose</i>
Section 2(4)(b)	For the purpose of the power to prescribe information by regulations.
Section 8(2)	For the purpose of the power to prescribe information by regulations.
Section 10(2)(c)	For the purpose of the power to prescribe information by regulations.
Section 12(2)	
Section 14(2)	
Section 18(4)	For the purpose of the power to prescribe matters by regulations.
Section 19(5)	For the purpose of the power to prescribe matters by regulations.
Section 21(2)	For the purpose of the power to prescribe information by regulations.
Section 25(5)	
Section 34(1)	
Section 35	
Section 36	

<i>Column 1 - Provisions</i>	<i>Column 2 – purpose</i>
Section 42(1)	For the purpose of making rules of court under subsection (2).
Section 42(2)	
Section 45(3) and (4)	
Section 61(1)	For the purpose of making rules of court under subsection (2).
Section 61(2)	
Section 64(1) and (2)	
Section 66(1)(b)	For the purpose of making rules of court under subsection (3).
Section 66(3)	
Schedule 1 paragraph 5(3)	For the purpose of the power to prescribe matters by regulations.
Schedule 2 paragraph 15(2) and (3)	
Schedule 5 paragraphs 15(2), 19(2) and (3), 27(c), 28 and 29(2) and (3)	For the purpose of the powers in these provisions to prescribe matters by regulations.
Schedule 5 paragraph 46(2)	For the purpose of making rules of court under paragraph (3).
Schedule 5 paragraph 46(3)	
Schedule 5 paragraph 57(3) and (4)	For the purpose of the power to prescribe matters by regulations.

Schedule 5 paragraph 80(3)	For the purposes of making rules of court and the powers to make regulations under the other provisions of Schedule 5 mentioned above.
Schedule 6 paragraphs 10 and 11(2)	For the purpose of making rules of court under paragraph 11(2).
Schedule 7 paragraphs 2(3), 4(1), and 12(1) and (5)	For the purpose of making rules of court.
Schedule 7 paragraph 14(4) and (5)	
Schedule 23 paragraphs 2(1) and (3), 4, 6, 9, 10(1) and (3), 13, 15(1) and (3), 16(3)(a) and 17	For the purpose of the powers in these provisions to make regulations and to issue guidance.
Schedule 26 paragraphs 4, 5, 8 and 17	For the purpose of amending the powers to make regulations contained in the provisions specified in these paragraphs.
Schedule 27 paragraph 12	
Schedule 27 paragraph 14	For the purpose of amending the power to make regulations in section 27(1) of the Marriage Act 1949 ⁽¹⁾
Schedule 27 paragraph 21	For the purpose of the amendments to the power to make an Order in Council as specified in this paragraph.
Schedule 27 paragraph 70	For the purpose of exercising the power in section 40 of the Matrimonial and Family Proceedings Act 1984 ⁽²⁾ to make family proceedings rules.
Schedule 27 paragraph 137	
Schedule 27 paragraph 140(3)	For the purpose of the amendments to the powers to make regulations as specified in this paragraph.

Schedule 27 paragraph 162	For the purpose of the power to make regulations contained in the provision specified in this paragraph.
Schedule 27 paragraph 163	
Schedule 27 paragraph 172	

⁽¹⁾ 1949 c. 76.

⁽²⁾ 1984 c. 42.

SCHEDULE 2

Article 2

Provisions of the Act (subject to consultation requirement) coming into force on 15th April 2005

<i>Column 1 - Provisions</i>	<i>Column 2 – purpose</i>
Section 210(1), (2), (4) and (5)	
Section 211	
Section 219	
Section 220	For the purpose of making rules of court under section 223.
Section 223	
Section 226	
Section 228	For the purposes of making rules of court under section 231.
Section 231	
Section 237(2) to (5)	

Section 239	
Section 240	
Section 241	
Section 242	
Section 243	
Section 244	
Section 245	For the purposes of the other provisions of Part 5 mentioned above.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 15 April 2005 the provisions of the Civil Partnership Act 2004 (c.33) (“the Act”) listed in Column 1 of each of the two Schedules to the Order.

These provisions of the Act are being commenced for the particular purpose or purposes specified in the corresponding entry in column 2 of each of the two Schedules to the Order. Where no particular purpose is specified, a provision is being commenced for all purposes. The purposes relate to the making of regulations, orders, Orders in Council, rules of court and the issuing of guidance under provisions of the Act and under provisions in existing legislation amended by the Act.

Sections 213(2) to (6), 247(2) to (7), 248(2) to (5), 254(2) to (6), 255, 258, 259, 260, 262, 263, and 264 of the Act came into force on Royal Assent.

A full regulatory impact assessment has not been produced for this instrument. A regulatory impact assessment identifying the impact on business and the exchequer of the provisions in the Act was published at the time the Act received Royal Assent in November 2004. It is available from <http://www.dti.gov.uk/access/ria/index.htm>.

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