



What are civil partnerships in the UK?

A civil partnership is a legal relationship for same-sex couples in the UK. They are for adult same-sex couples who are not in an existing registered partnership or marriage and are not closely related.

Registration

Couples give notice of their intention to register at a registry office and can then sign the civil partnership register 15 days later. You do not have to be living together in order to form a civil partnership. There will be a fee involved in the registration process, just as there is for civil marriages. You can register your partnership in any premises licensed to carry out registrations. This means, that if you want to do it with a local authority different to the one where you live, you can.

Unlike a registry office marriage, the full details of a civil partnership are not made public. The Government recognised that there might be issues for some lesbian and gay couples, such as risk of harassment, should their sexual orientation be made known to the general public. Registrars therefore only publish names and occupations, and not addresses, to help protect people's privacy and safety.

The only necessary procedure on the day is that both partners sign the register with two witnesses. Just as with marriage, couples can arrange a ceremony in addition to the registration procedure if they want. Local authorities have been encouraged to provide such ceremonies when asked. If the ceremony is being offered by the local authority, they will need to agree its content.

Couples who register have legal status as 'registered civil partners' and acquire a package of rights and responsibilities in the same way as married couples. It gives couples comparable rights to those who are heterosexual and married. Civil partnerships are similar, but not the same as marriage. There are a couple of differences between the two:

A civil partnership is registered when the second civil partner signs the relevant document, while a civil marriage is registered when the couple exchange spoken words;

Marriage ceremonies for opposite-sex couples can be either religious or civil, whereas a civil partnership can only be created by a civil ceremony.

Legal implications.

Civil partners can enjoy equal treatment with married couples in a wide range of legal matters including:

- Tax
- Employment benefits
- State and occupational pensions benefits
- Income-related benefits, tax credits and child support
- Duty to provide reasonable maintenance for your civil partner and any children of the family
- Ability to apply for parental responsibility for your civil partners child;
- Inheritance of a tenancy agreement
- Recognition under intestacy rules
- Access to fatal accidents compensation
- Protection from domestic violence
- Recognition for immigration and nationality purposes

The minimum legal age for registering a civil partnership is 16, but written consent would generally be required for anyone under 18.

Name changes

After the ceremony, legally you will now be 'civil partners'. You can also take your partner's surname if you want to, or you can combine your names. Female partners can change their titles from Miss to Mrs if they would like to. Where one partner wishes to take their partner's surname, the Civil Partnership certificate is the only documentary evidence required for this change to be made. Where both partners wish to create a new or double-barrelled surname, this will need to be done by Deed Poll.

Ending a civil partnership.

A civil partnership will automatically end if you or your civil partner dies. However, if you want to end your civil partnership before then, it is not the same procedure as a divorce.

Registered civil partnerships are intended to be long-term, stable relationships so there is a formal, court-based process for dissolution. You can only apply to the Court to bring your partnership to an end after at least one year together. You'll need to show the court that you have grounds for dissolution. It's not enough to say that you are bored or have fallen out of love with each other.

The first step is to fill in a form called a petition (form D508). On this you give the reasons for the dissolution. The petition has to be taken to a court which deals with civil partnership dissolutions. Although you go through the court, you don't necessarily need a solicitor. Your local Citizens Advice Bureau www.citizensadvice.org.uk can help with the forms if you need assistance. You will need to get permission from a court. You can do this by asking the court to grant one of the following:

- **A dissolution order**

You must prove to the court that the civil partnership has 'irretrievably' broken down,

e.g. your partner has deserted you at least two years ago. Your civil partnership must have lasted for at least one year before you can apply for a dissolution order.

- **A separation order**

You can apply for a separation order at any time. However, neither of you will be able to enter another civil partnership or marriage unless you obtain a dissolution order.

- **An annulment**

If your civil partnership does not meet certain legal conditions of a civil partnership, the court can end the partnership by granting an annulment.

In addition:

- If you're not a British citizen, ending a civil partnership may affect your right to stay in the country.
- If you have children, you will have to sort out arrangements for the children when you end a civil partnership;
- You will need to sort out financial arrangements, such as mortgage payments and household bills.
- You will need to sort out housing issues, such as protecting your right to stay in your property should you wish to do so.

The HM Courts Service website has a useful overview of the whole dissolution process, with all the necessary paperwork available as downloads, at: www.hmcourts-service.gov.uk, under the civil partnership dissolution page.

For more information on civil partnerships, you can check out the following links:

www.ukdps.co.uk/ACouplesRightsUponACivilPartnership.html

www.stonewall.org.uk/at_home/civil_partnership/2614.asp