

# Civil Partnerships

## Overview

Same-sex couples can have their relationships legally recognised as 'Civil Partnerships'. Civil Partnerships are now less common since the introduction of same sex marriage in England and Wales in March 2014. Civil partners must be treated the same as married couples on a wide range of legal matters, including:

- Tax, including Inheritance Tax
- Entitlement to your partner's estate on death
- Employment benefits
- Pensions
- Income-related state benefits, including tax credits and child support
- A duty to provide reasonable maintenance for your civil partner and any children of the family, and ability to make a claim on each other's capital in the event of the partnership ending
- Ability to apply for parental responsibility or adoption of your civil partner's child
- Adopt a child together
- Inheritance of tenancy agreements
- Protection from domestic violence
- Immigration and nationality purposes
- Ability to make a claim for compensation in the event that your partner has an accident which results in a fatal accident claim.

## Registration of a Civil Partnership

In order to form a Civil Partnership you must first give notice of your plans. This involves letting a registration office know about your intention to register a Civil Partnership.

Once this has been done notices are publicised by the registration authority for a period of 15 days, similar to marriage notices. A Civil Partnership can be formed in England and Wales at registry offices or other approved locations. You can get a list of approved places from your local council.

If you want to, you can change your name when you enter into a Civil Partnership. You may want to use one of your surnames or hyphenate your names. Government agencies such as the DVLA and passport agency and banks will accept your Civil Partnership certificate as evidence of the change of name.

## Pre-Partnership Agreements

This is an agreement entered into prior to your Civil Partnership, detailing how your assets and income will be divided in the event of your relationship breaking down. This will be treated in the same way as Pre-Nuptial or Pre-Marital agreements. Although Pre-Nuptial agreements are not specifically enforceable, their existence is taken into account when the court determines how to divide the assets between a couple. For further details please refer to our **Pre-Nuptial Factsheet**.

## Conversion of Civil Partnership to Same Sex Marriage

It is possible to convert a civil partnership into a marriage at a register office or a local registration office. The conversion can take place with or without a ceremony. Many couples prefer to have a ceremony to celebrate the occasion.

## Ending the Civil Partnership

The process of ending the partnership is called 'Dissolution'. The process is the same as a divorce. Like a divorce you cannot apply to dissolve the partnership in its first year. The Civil Partnership Act also allows civil partners to make financial claims against one another. Therefore in the event of the relationship breaking down, you would be able to make a claim against each other's income, capital and estate on death. For further information on dissolution please refer to our **dissolution and financial options factsheets**.

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Please feel free to discuss your own position and concerns. Contact your nearest office on:

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