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Civil partnerships

What are they?

A civil partnership is a 'marriage' between two people of the same sex. It gives the couple legal recognition, enabling them to obtain rights similar to those enjoyed by heterosexual couples who are married.

Civil partners have equal treatment to married couples in a wide range of legal matters, including:

- tax, including inheritance tax.
- employment benefit.
- most state and occupational pension 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 partner's 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.

What happens when the relationship breaks down?

You can apply to the court for a separation order or a dissolution order. The procedures are similar to divorce procedures (see separate divorce article but please contact Tony, Anne or Rachel for further details).

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The Civil Partnerships Act became law in December 2005, allowing same sex couples to have their relationship legally recognised.

Since a civil partnership gives same sex couples the same legal rights as their married heterosexual counterparts, it requires formal legal proceedings when the relationship breaks down, to end the legal agreement between the couple.

To do this, one of the parties must file a petition with the court, requesting civil partnership dissolution. This is a process very similar to the divorce process.

To get dissolution, you must have been in a civil partnership for more than one year. One person needs to start the ball rolling. They are known as the petitioner. This person is responsible for proving that the civil partnership has irretrievably broken down.

The petitioner is required to complete a petition, which will contain details including the date you entered into the civil partnership, the last address where you lived together as a couple, and whether or not there are any children in the family.

It then follows the [same course as a divorce](#), typically taking between three and five months to complete.

For more information please contact Tony, Rachel or Anne or visit www.gardandco.com.

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