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Civil partnership agreements

What are they?

A civil partnership agreement is very similar to a pre-nuptial agreement made between heterosexual couples before they marry. Please see our article: Pre-nuptial agreements for more information.

Why should we have one?

Although some may feel it seems strange to plan for the end of a relationship just when a couple are starting out, it is very sensible to consider the worst when the relationship is at its best.

Like those who make pre-nuptial agreements you can make provision as to what is to happen with your own individual assets if your civil partnership fails or perhaps ensure that your children from a previous relationship are provided for in the event of your death.

Is it enforceable?

Again like pre-nuptial agreements, civil partnership agreements are not in themselves currently recognised by English courts. However, the court will take them into consideration when reaching a decision.

To give your agreement the best chance of full consideration it is important to make sure that each of you have independent legal advice on the content of the agreement and that the agreement is fair. The agreement should be carefully written with both of you providing information about your individual financial situation at the time of making the agreement prior to your civil partnership ceremony and registration.

For more information please contact Tony, Rachel or Anne to arrange a free initial consultation or visit www.gardandco.com.

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