

Dissolution of Civil Partnerships

The Civil Partnership Act, which came into force on 5 December 2005, allows same sex couples to make a formal and legal commitment to one another by entering into a civil partnership.

Dissolution

The procedure for applying for dissolution of a civil partnership is very similar to the procedure for a divorce. A civil partnership can be dissolved after one year. The only ground for dissolution is that the partnership has broken down irretrievably.

To support the ground, and to satisfy the Court, that the relationship has broken down irretrievably the Applicant must prove one of the following four facts:

1. That the Respondent has behaved in such a way that the Applicant cannot reasonably be expected to live with the Respondent
2. That the Respondent has deserted the Applicant for a continuous period of at least two years immediately before the start of the dissolution proceedings
3. That the parties to the partnership have lived apart for a continuous period of at least two years immediately before the start of the dissolution proceedings and the Respondent consents to a decree being granted
4. That the parties to the partnership have lived apart for a period of at least five years immediately before the start of the dissolution proceedings.