



Same Sex Marriage and Civil Partnerships: The New Law

Mark Harper, S Chelvan, Martin Downs, Katharine Landells, Gerald Wilson

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This 'New Law' guide examines the legal changes introduced by the UK's Civil Partnership Act 2004 and the Marriage (Same Sex Couples) Act 2013. It also looks at the rights and responsibilities that are afforded to those who register under the scheme, and it discusses the law as it relates to cohabitants, so that the legislation can be seen in context. The CPA 2004 makes provision for Scotland and Northern Ireland, but this book confines its analysis to the implications for the law of England and Wales of the CPA 2004 and the MSSCA 2013. It includes an analysis of some of the parliamentary debates, many of which will be relevant in future arguments about the meaning of the statute, in accordance with the rule in *Pepper (Inspector of Taxes) v Hart*. In addition, there is consideration of some wider material for the purpose of evaluating compatibility of the legislation with Convention rights, including the value judgments inherent in the test of proportionality, as suggested in *Wilson v First County Trust Ltd*. Appendices contain the full text of the MSSCA 2013 and relevant extracts from the CPA 2004. The guide provides an authoritative commentary, highlighting areas of potential difficulty and offering practical guidance. It will be essential reading for all family lawyers, housing lawyers, as well as chancery practitioners dealing with inheritance claims. [Subject: Family Law, Sexual Minority Law, Human Rights Law, Matrimonial Law]

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