

## Death and legal family formats in the UK: England and Wales

by Andy Hayward <sup>1</sup>

*The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*

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Based on the [LawsAndFamilies questionnaire](#) on legal family formats for same-sex and/or different-sex couples (Section 6 – Death)

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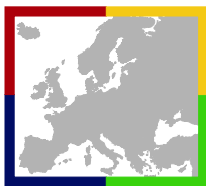


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# FamiliesAndSocieties

## Disclaimer

This paper and this database contain information with a scientific aim. Nothing in this paper and in this database should be seen as legal advice. Not all nuances and exceptions are included, and there may be errors and further legal developments. The experts, the authors, the editors, the Institut national d'études démographiques and Leiden University cannot be held liable for any inaccurate or incomplete information in this paper or in this database. More particularly, they cannot be held liable for any damage or consequences from the direct or indirect use of contents of this paper or database.

## The six sections of the questionnaire

The interactive LawsAndFamilies Database is based on the [LawsAndFamilies questionnaire](#), which consists of six sections:

- Section 1 – Formalisation
- Section 2 – Income and troubles
- Section 3 – Parenting
- Section 4 – Migration
- Section 5 – Splitting up
- Section 6 – Death

## Papers and an interactive database

For each jurisdiction there are therefore six papers like this one. And each of these papers contains the full answers, references and explanations (given by

a legal expert for the jurisdiction concerned) to the questions in one of these six sections. All these papers can be found in open access at [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu). There the user also has access to the [interactive part of the LawsAndFamilies Database](#), which can be used to search the whole database and to create comparative overviews for different questions, different years, different countries and/or different legal family formats.

This website also contains references to publications analysing the results of the project, and to some other legal, sociological and statistical publications about same-sex and different-sex families. And it gives information about the methodology used for this questionnaire and database.

## About the questionnaire

The [full text of the questionnaire](#) can be found in the paper: K. Waaldijk, J.M. Lorenzo Villaverde, N. Nikolina & G. Zago, 'The LawsAndFamilies questionnaire on legal family formats for same-sex and/or different-sex couples: Text of the questions and of the accompanying guidance document', *FamiliesAndSocieties Working Paper* 64(2016), [www.familiesandsocieties.eu](http://www.familiesandsocieties.eu).

The [Guidance document](#) contained in that paper, asked the experts answering the questionnaire to make several assumptions. These included the assumption that the partners have been living together as a couple already for at least two years. Plus the assumption (except for certain questions in Section 4 – Migration) that both partners have the citizenship of the country where they are now both lawfully and habitually residing, and that this is also the country where their relationship would have been formalised and where it would be dissolved.

## About the answers

This paper contains the answers, references and explanations – for one jurisdiction – to all questions in one of the six sections of the questionnaire. The answers are presented in columns. Each column is a coloured timeline, representing legal developments for one question for one legal family format.

The year at the top of each coloured timeline is the most recent year for which a question was answered by the author. In the timelines the years given above and below an answer indicate that the answer applied between a certain day in the lower year and a certain day in the higher year. The year "0000" means that the answer applied since an unknown year before 1965. See further the [Guidance document](#).

The following **answer codes and colours** have been used:

Yes	Yes, this is so in the law of this country/jurisdiction, although possibly with a qualifying period of 24 months or less.
Yes, but	Yes, but with exceptions or restrictions, for example a qualifying period of 25 months or more, or only in most parts of the country/jurisdiction, or this is mostly a “dead letter”.
No, but	No, but it may be so exceptionally, or in a very limited way, or in a few parts of the country/jurisdiction, or indirectly, or by using a different legal instrument, or legislation says no while some courts might say yes.
No	No, this is not so in the law of this country/jurisdiction.
Doubt	The law is unclear (the law does not “know” the answer).
?	No information was available.
N/A	Not applicable (for example because this family format is not available in this jurisdiction, or not for same-sex or different-sex couples).
X	This question was not asked for this legal family format.
Open question	Question without answer codes like Yes and No.
Empty cell	For this year the question was not asked or not answered.

### The six papers about England and Wales

The answers concerning England and Wales can be found in the [interactive database](#) and in the following six papers (all of which are published in open access in: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*, Paris: INED, 2017, [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu)):

**Formalisation of legal family formats in the UK: England and Wales**  
by Brian Sloan (Section 1)

**Income, troubles and legal family formats in the UK: England and Wales**  
by Andy Hayward (Section 2)

**Parenting and legal family formats in the UK: England and Wales**  
by Brian Sloan (Section 3)

**Migration and legal family formats in the UK: England and Wales**  
by Andy Hayward (Section 4)

**Splitting up and legal family formats in the UK: England and Wales**  
by Brian Sloan (Section 5)

**Death and legal family formats in the UK: England and Wales**  
by Andy Hayward (Section 6)

So this paper is based on **Section 6 (Death)** of the [LawsAndFamilies questionnaire](#), which contains questions about the following topics:

- 6.1 Tenancy continuation
- 6.2 Property at death
- 6.3 Inheritance
- 6.4 Inheritance tax
- 6.5 Survivor’s pension
- 6.6 Wrongful death
- 6.7 General background regarding death

In the following pages of this paper, first the answer to question 6.7 is presented, followed by the answers to questions 6.1 to 6.6.

**6.07 - General background regarding death (Open question)**

If you consider it useful to provide some general information or comments about (past, present or future) developments and trends in legal policy and case law in your country/jurisdiction, or information on other aspects (socio-legal, political, legal-cultural, etc.) that may be relevant for the understanding your answers above regarding death, then please do so here.

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Jurisdiction: **UK: England and Wales**

Source: **A. Hayward, "Death and legal family formats in UK: England and Wales". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu), [LawsAndFamilies-UK EW-Section6.pdf](#) (please use this full citation when citing any information from this table).**

Section: **6 - Death**

Question: **6.01 - Tenancy continuation**

When the partner who holds the rental contract dies, does the other partner then have a right to continue to rent the home?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes, but 1985	2016 Yes, but 2014	2016 N/A 0000	2016 Yes, but 2005	2016 Yes, but 2011	2016 Yes, but 2011
Yes, but 1977	N/A 0000		N/A 0000	Yes, but 1989	Yes, but 1999
Yes, but 0000				No 0000	No 0000

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>References to legal sources:</b>                      Article 86A(1) of the Housing Act 1985 as inserted by the Localism Act 2011.</p>		<p><b>References to legal sources:</b>                      Section 87 of the Housing Act 1985 as amended by the Localism Act 2011.                       Schedule 8 para 20 of the Civil Partnership Act 2004.</p>		<p><b>References to legal sources:</b>                      Rent Act 1977.                       Section 87 of the Housing Act 1985 as amended by the Localism Act 2011.                       Housing Act 1988.                       Human Rights Act 1998.                       Fitzpatrick v Sterling Housing Association [2001] 1 AC 27 (House of Lords).                       Ghaidan v Godin-Mendoza [2004] UKHL 30 (House of Lords).</p>	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the type of tenancy concerned. A distinction must be made between public and private sector. Succession in the private sector will only apply if the rental contract so provides (which is unlikely).</p> <p>Succession in the public sector is more prevalent. Succession by a spouse is permitted as per article 86A(1) of the Housing Act 1985 as inserted by article 160 of the Localism Act 2011. The precursor to this provision allowed succession by a spouse but this was updated by the Localism Act.</p> <p>Earlier protections for tenants were also found in the Rent Act 1977 but these can no longer be made in light of subsequent Housing Acts.</p>		<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the type of tenancy concerned. A distinction must be made between public and private sector. Succession in the private sector will only apply if the rental contract so provides (which is unlikely).</p> <p>Succession in the public sector is more prevalent. Succession by a civil partner is permitted as per article 86A(1) of the Housing Act 1985 which involves amendments by Schedule 8 para 20 of the Civil Partnership Act 2004 and by article 160 of the Localism Act.</p>		<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the type of tenancy concerned. A distinction must be made between public and private sector. Succession in the private sector will only apply if the rental contract so provides (which is unlikely).</p> <p>Succession in the public sector is more prevalent.</p> <p>Succession by a cohabitant is permitted indirectly through article 86A(1) of the Housing Act 1985 by virtue of article 86A(5) stating that a person living as the tenant's wife, husband or as if they were civil partners will be treated as a spouse or civil partner.</p> <p>A different-sex cohabitant was originally able to succeed to their deceased partner's tenancy in 1989 when the Housing Act 1988 amended the Rent Act 1977 and enabled couples living together as husband and wife to be treated as such for succession purposes.</p> <p>Same-sex cohabitants were able to succeed to their partner's tenancy as a member of the tenant's family as seen in the House of Lords decision in Fitzpatrick v Sterling Housing Association handed down in 1999. Following the introduction of the Human Rights Act 1998 bringing into effect at a domestic level the rights enshrined in the European Convention on Human Rights, the House of Lords decision in Ghaidan v Godin-Mendoza strengthened the legal position for same-sex cohabitants by allowing them to succeed to a stronger statutory tenancy (previously reserved for spouses).</p>	

Jurisdiction: **UK: England and Wales**

Source: **A. Hayward, "Death and legal family formats in UK: England and Wales". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu), [LawsAndFamilies-UK EW-Section6.pdf](#) (please use this full citation when citing any information from this table).**

Section: **6 - Death**

Question: **6.02 - Property at death**

When one partner dies, do statutory rules consider as joint property any possessions acquired by either of them after they started this type of relationship? (In other words: would the surviving partner be deemed to own 50% of these possessions, while the other 50% are subject to relevant rules of inheritance law?)

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<b>2016 No, but 1925</b>	<b>2016 No, but 2014</b>	<b>2016 N/A 0000</b>	<b>2016 No, but 2005</b>	<b>2016 No, but 1976</b>	<b>2016 No, but 1976</b>
	<b>N/A 0000</b>		<b>N/A 0000</b>	<b>No 0000</b>	<b>No 0000</b>
<p><b>References to legal sources:</b> Administration of Estates Act 1925.</p> <p>Inheritance (Provision for Family and Dependants) Act 1975.</p> <p>Law Reform (Succession) Act 1995.</p> <p>Inheritance and Trustees' Powers Act 2014.</p>		<p><b>References to legal sources:</b> Administration of Estates Act 1925.</p> <p>Inheritance (Provision for Family and Dependants) Act 1975.</p> <p>Law Reform (Succession) Act 1995.</p> <p>Article 71 and Schedule 4 paragraphs 7-12 Civil Partnership Act 2004.</p> <p>Inheritance and Trustees' Powers Act 2014.</p>		<p><b>References to legal sources:</b> Inheritance (Provision for Family and Dependants) Act 1975 (in force 1 April 1976).</p> <p>Law Reform (Succession) Act 1995.</p> <p>Schedule 4 para 15(5) Civil Partnership Act 2004.</p>	



Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>Explanations and nuances:</b>            There is no concept of joint property following death of a spouse. The surviving spouse, however, can claim several entitlements under inheritance rules or through a will if the individual died testate.</p> <p>In the case of intestate succession the surviving spouse is always entitled to personal chattels of the deceased (see article 55(1)(x) of the Administration of Estates Act 1925 as amended by article 3(1) of the Inheritance and Trustees' Powers Act 2014.</p> <p>Where there is no children or other descendants, the surviving spouse will receive the whole of the estate (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925). Personal property will be included.</p> <p>Where there are children, the surviving spouse receives, all personal property, a statutory legacy of £250,000 and an absolute interest in half of the remainder. The other half is divided equally between the children (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925).</p> <p>A spouse would also be able to claim under Inheritance (Provision for Family and Dependants) Act 1975.</p> <p>Thus whilst some rules may create equal division of assets depending on the facts, property is not treated as 'joint property'.</p>		<p><b>Explanations and nuances:</b>            There is no concept of joint property following death of a civil partner. The surviving civil partner, however, can claim several entitlements under inheritance rules or through a will if the individual died testate.</p> <p>In the case of intestate succession the surviving civil partner is entitled to personal chattels of the deceased.</p> <p>Where there is no children or other descendants, the surviving civil partner will receive the whole of the estate (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925). Personal property will be included.</p> <p>Where there are children, the surviving civil partner receives, all personal property, a statutory legacy of £250,000 and an absolute interest in half of the remainder. The other half is divided equally between the children (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925).</p> <p>A civil partner would be able to claim under Inheritance (Provision for Family and Dependants) Act 1975.</p> <p>Thus whilst some rules may create equal division of assets depending on the facts, property is not treated as 'joint property'.</p>		<p><b>Explanations and nuances:</b>            A surviving partner who was not married or in a civil partnership with the deceased has no automatic right to inherit their estate. However they could be provided for through a will.</p> <p>For opposite-sex cohabitants, they would be able to claim under Inheritance (Provision for Family and Dependants) Act 1975 (either in their own right from 1995 or prior to that as someone who was maintained by the deceased immediately before death). Same-sex cohabitants could claim in their own right from 2005 and prior to that as someone who was being maintained).</p>	

Jurisdiction: **UK: England and Wales**

Source: **A. Hayward**, "Death and legal family formats in UK: England and Wales". In: K. Waaldijk et al. (eds.), *The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples*. Paris: INED, 2017, [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu), [LawsAndFamilies-UK EW-Section6.pdf](#) (please use this full citation when citing any information from this table).

Section: **6 - Death**

Question: **6.03 - Inheritance**

When one partner dies without testament, is the other partner then an inheritor?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 1925	2016 Yes 2014	2016 N/A 0000	2016 Yes 2005	2016 No, but 1976	2016 No, but 1976
	N/A 0000		N/A 0000	No 0000	No 0000
<b>References to legal sources:</b> Administration of Estates Act 1925.  Inheritance and Trustees' Powers Act 2014.		<b>References to legal sources:</b> Administration of Estates Act 1925.  Article 71 and Schedule 4 paragraphs 7-12 Civil Partnership Act 2004.  Inheritance and Trustees' Powers Act 2014.		<b>References to legal sources:</b> Article 1(1)(e) of the Inheritance (Provision for Family and Dependents) Act 1975.	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>Explanations and nuances:</b>                      They are not deemed an 'inheritor' but will be entitled to provision under intestacy rules.</p> <p>In the case of intestate succession, the surviving spouse is always entitled to personal chattels of the deceased (see article 55(1)(x) of the Administration of Estates Act 1925 as amended by article 3(1) of the Inheritance and Trustees' Powers Act 2014.</p> <p>Where there is no children or other descendants, the surviving spouse will receive the whole of the estate (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925). Personal property will be included.</p> <p>Where there are children, the surviving spouse receives, all personal property, a statutory legacy of £250,000 and an absolute interest in half of the remainder. The other half is divided equally between the children (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925).</p>		<p><b>Explanations and nuances:</b>                      They are not deemed an 'inheritor' but will be entitled to provision under intestacy rules.</p> <p>In the case of intestate succession, the surviving civil partner is entitled to personal chattels of the deceased.</p> <p>Where there is no children or other descendants, the surviving civil partner will receive the whole of the estate (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925). Personal property will be included.</p> <p>Where there are children, the surviving civil partner receives, all personal property, a statutory legacy of £250,000 and an absolute interest in half of the remainder. The other half is divided equally between the children (article 1(2) of the Inheritance and Trustees' Powers Act 2014 amending the Administration of Estates Act 1925).</p>		<p><b>Explanations and nuances:</b>                      A surviving partner who was not married or in a civil partnership with the deceased has no automatic right to inherit their estate. They therefore cannot inherit as a cohabitant but could make a claim for provision out of the deceased's estate as someone who immediately prior to the death of the deceased was being maintained, either wholly or partly, by the deceased.</p>	

Jurisdiction: **UK: England and Wales**

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Section: **6 - Death**

Question: **6.04 - Inheritance tax**

Is the surviving partner exempted from paying inheritance tax (or required to pay less than a mere friend would have to pay)?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 1975	2016 Yes 2014	2016 N/A 0000	2016 Yes 2005	2016 No 0000	2016 No 0000
No 0000	N/A 0000		N/A 0000		
<b>References to legal sources:</b> Article 18 of Inheritance Act 1984.  Finance Act 1975.		<b>References to legal sources:</b> Article 18 of Inheritance Act 1984 as amended by Article 7(5) of the Tax and Civil Partnerships Regulations 2005 (S.I. 2005/3229).		<b>References to legal sources:</b>	
<b>Explanations and nuances:</b> Transfers between spouses are exempt from inheritance tax. This exemption was first introduced in 1975.		<b>Explanations and nuances:</b> Civil partners were included into the spousal exemption following the Civil Partnership Act 2004.		<b>Explanations and nuances:</b> There is no exemption for cohabitants, similar to that of married couples or civil partners, in the payment of inheritance tax.	

Jurisdiction: **UK: England and Wales**

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Section: **6 - Death**

Question: **6.05 - Survivor's pension**

When one partner dies while being employed, is the surviving partner then normally entitled to a survivor's pension?  
 (For example on the basis of statutory law, and/or on the basis of a collective labour agreement or arrangements of the employer.)

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 1988	2016 Yes, but 2014	2016 N/A 0000	2016 Yes, but 2005	2016 No, but 0000	2016 No, but 0000
Yes, but 1978	N/A 0000		N/A 0000		
No 0000					

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>References to legal sources:</b>            Social Security and Pensions Act 1975 entering into force in 1978.</p> <p>Social Security and Pensions Act 1986 entering into force in 1988.</p> <p>Pensions Schemes Act 1993.</p> <p>Pensions Act 1995.</p> <p>Pensions Act 2007.</p> <p>Pensions Act 2008.</p> <p>Pensions Act 2011.</p> <p>Pensions Act 2014.</p> <p>HM Government, "Review of Survivor Benefits in Occupational Pension Schemes" (2014).</p> <p>Walker v Innospec and others [2015] EWCA Civ 1000.</p>		<p><b>References to legal sources:</b>            Pensions Schemes Act 1993.</p> <p>Pensions Act 1995.</p> <p>Pensions Act 2007.</p> <p>Pensions Act 2008.</p> <p>Equality Act 2010 Schedule 9 para 18.</p> <p>Pensions Act 2011.</p> <p>Pensions Act 2014.</p> <p>HM Government, "Review of Survivor Benefits in Occupational Pension Schemes" (2014).</p> <p>Walker v Innospec and others [2015] EWCA Civ 1000.</p>		<p><b>References to legal sources:</b>            Pensions Schemes Act 1993.</p> <p>Pensions Act 1995.</p> <p>Pensions Act 2007.</p> <p>Pensions Act 2008.</p> <p>Pensions Act 2011.</p> <p>Pensions Act 2014.</p>	

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the terms of the pension scheme. Prior to the 1986 Act survivors of occupational schemes could claim entitlement but only if they were women. This was extended to men in 1986 with effect in 1988. State pensions were first introduced in 1908.</p> <p>Generally dependants for the purposes of these schemes include spouses. Entitlement under the scheme is dependent on whether the pension scheme has "contracted out" of the additional state pension (i.e. the members pay reduced National Insurance Contributions). If the scheme has contracted out then the private sector employer must pay surviving spouses.</p> <p>When same-sex marriage was introduced in 2014, survivor pensions for same-sex spouses could be limited to rights accrued since 5 December 2005 (when the Civil Partnership Act 2004 came into force): this difference in treatment is legislatively not contrary to the Equality Act 2010.</p>		<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the terms of the pension scheme. Generally dependants include civil partners. Entitlement under the scheme is dependent on whether the pension scheme has "contracted out" of the additional state pension (i.e. the members pay reduced National Insurance Contributions). If the scheme has contracted out then the private sector employer must pay surviving civil partners but only taking into account service since 5 December 2005 (this rule is contained in the Equality Act 2010 and has been upheld in the Court of Appeal in Walker v Innospec and others [2015] EWCA Civ 1000).</p>		<p><b>Explanations and nuances:</b>            This is a complex area and is dependent on the terms of the pension scheme. Whilst not mandated to do so, many occupational schemes enable members to nominate their partner as someone to receive survivor benefits in the event the scheme member dies before their partner.</p>	

Jurisdiction: **UK: England and Wales**

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Section: **6 - Death**

Question: **6.06 - Wrongful death**

In case of wrongful death of one partner, is the other partner then entitled to compensation from the wrongdoer?

Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
2016 Yes 1976	2016 Yes 2014	2016 N/A 0000	2016 Yes 2005	2016 Yes, but 1983	2016 Yes, but 2005
Yes 0000	N/A 0000		N/A 0000	No 0000	No 0000
<b>References to legal sources:</b> Fatal Accidents Act 1976.		<b>References to legal sources:</b> Fatal Accidents Act 1976.  Article 83 of the Civil Partnership Act 2004.		<b>References to legal sources:</b> Fatal Accidents Act 1976.  Adminsitration of Justice Act 1982.  Article 83 of the Civil Partnership Act 2004.	



Marriage		Registered partnership		Cohabitation	
diff.-sex	same-sex	diff.-sex	same-sex	diff.-sex	same-sex
<p><b>Explanations and nuances:</b>                      A "dependant" who is entitled to benefit from an action under the Fatal Accidents Act 1976 is defined as including the spouse of the deceased (article 1(3)(a) Fatal Accidents Act 1976).                      Dependants can claim for funeral expenses, statutory bereavement damages and damages for loss of financial support and services from the deceased.</p>		<p><b>Explanations and nuances:</b>                      A "dependant" who is entitled to benefit from an action under the Fatal Accidents Act 1976 is defined as including the civil partner of the deceased (article 1(3)(aa) Fatal Accidents Act 1976 inserted by article 83 of the Civil Partnership Act 2004). Dependants can claim for funeral expenses, statutory bereavement damages and damages for loss of financial support and services from the deceased.</p>		<p><b>Explanations and nuances:</b>                      Cohabitants are able to bring a claim as "any person who for the whole of the period of two years immediately preceding the death was living in the same household as the deceased as the deceased's spouse or civil partner (article 1(3)(b) Fatal Accidents Act 1976 as substituted in 1983 by the Administration of Justice Act 1982, and as amended in 2005 by article 83 of the Civil Partnership Act 2004).                       However they are excluded from bringing a claim for damages for bereavement under article 1A Fatal Accidents Act 1976.</p>	