

What are the differences between cohabitation and marriage or civil partnership?

Outside a marriage or civil partnership, the law does not recognise a relationship in any meaningful way. This means that if the relationship breaks down, there is very little protection for the weaker partner.

If married couples divorce or there is a dissolution of a civil partnership, both partners have a legal right to maintenance and their share of assets. If you are cohabiting, you do not have any of these rights, regardless of how long you have been together and whether you have children.

Currently, the only way for cohabiting couples to gain legal protection in the event of a break-up is to be married, in a civil partnership or signatories of a cohabitation agreement.

Under UK law, cohabiting couples do not have the same legal rights as married couples or those in a civil partnership. A cohabitation agreement can grant cohabiting couples legal protection, allowing them to legally define and protect their share of the property should they decide to end the relationship.

Marriage and civil partnership offer important rights that are recognised under UK law, but a cohabitation agreement is something drawn up by a solicitor to suit your specific requirements.

Our highly experienced family lawyers are experts in this field and have helped many couples setting up home, or already living together, to draw up agreements that are tailored to their own individual needs. Please do contact us for further advice and information.