

**News from Louis Letourneau.**

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*As 2005 gets going, [Louis Letourneau](#) takes a look ahead at some the good things in store for the gay community.*

Times are changing for gay men and lesbians in the UK. Following years of lobbying on various fronts, 2005 is off to a very good start with some major discriminations being lifted in many areas. Following the anti-discrimination legislation in the work place a year ago, another piece of good news was announced last October, when the Association of British Insurers reviewed their [HIV guidelines on life insurance](#). These now prohibit asking supplementary questions about sexuality, and improve the way that life insurance underwriting processes deal with HIV testing. The changes have to be implemented before October 2005, allowing 12 months for the industry to sort itself out. This doesn't mean that all discrimination towards gay men is going to be eradicated, but it's certainly going to improve the way we've been treated up to now.

The most important change is the [adoption of the Civil Partnership legislation](#), which should come into effect in early 2006. Despite the Tory Lords' best efforts to derail the Bill, parliamentarians have now, at last, agreed to a decent piece of legislation that creates a whole new framework of rights and obligations for same-sex couples. The United Kingdom is "coming out" to the world of equality.

The Government has finally realised that hundreds of thousands of gay people deserve to have the option of being legally recognised in our society as legal partners. During a relationship, Civil Partners are now going to be entitled to the same recognition enjoyed by married couples in most areas of life. These rights vary from immigration to adoption and joint parental responsibility, from protection from domestic violence to hospital visiting and medical treatment. Even giving evidence in Court and prison visiting are covered by the new Civil Partnership laws. These aspects have been covered very well and we can only congratulate the "joined-up Government" approach for getting it so right. Of course, with these rights come obligations. Should the partnership fall apart, the same current divorce procedure as applies to married couples will prevail; from access to children and child support to the maintenance of partners and property division.

The new law also recognises the right of the partner to be considered automatically as next of kin. This is particularly important when we look at funeral access or intestacy laws. For the first time, if a partner dies without a [Will](#), the Civil Partner will be deemed to be the beneficiary of the estate, unlike the situation today in which only blood relatives are recognised.

Even pension rights are now as close to equalisation as they can be in the current political environment, following a [last-minute amendment](#) in the House of Commons to recognise Civil Partners' state pension rights back to 1988, including contracting out-rights within all

pension schemes. In 1988, widowers acquired equality with widows, and it would have been unfair to extend same-sex benefits beyond these existing rights without creating another kind of discrimination against widowers. This has been well thought through, and the Government can only be congratulated for having listened to the expert in this area.

The only uncertainty that remains is about [Inheritance Tax](#), which is widely expected to be covered in the Finance Bill 2005 later on this year. Although the Civil Partnership Act states that financial implications will be addressed through the budget process, I will certainly scrutinise the details once the 2005 Finance Bill is published and is going through the Parliamentary process; this could clash with the forthcoming election campaign. We have to keep our eyes on the ball, as it would be too easy to slip through unequal provisions in the Bill, especially if Lord Tebitt is watching!

Same-sex couples now have to decide if they're going to take up their Civil Partnership rights from 2006, just as heterosexuals have to decide if they're going to get married. I'd expect that a number of older couples will rush to take the opportunity as soon as it's possible, but how younger couples are going to react? I'd certainly urge anyone considering registering their partnership to look at the pros and cons specific to their circumstances. Seeking [specialist legal and financial planning advice](#) will be an absolute must before jumping in with both feet - but isn't good to be able to choose? I can even hear the latest '[Beautiful South](#)' song '*This year is going to be our year; took a long time to come.*'

**Louis Letourneau, MA** is an experienced independent financial adviser (IFA), specialist in financial planning and wealth management. He founded Rainbow Finance in 1995 and has consistently challenged financial companies and Government on their attitudes to gays, lesbians and same sex couples and was instrumental in the Inland Revenue to changing its guidance notes to recognise unmarried couples in pension benefits. His work has also resulted in life insurance companies starting to relax the discriminatory underwriting criteria toward gay men and people living with HIV. He was a founder of the Rainbow Research Project which surveys and educates private pension schemes in how they recognise unmarried couples on death benefits. He was also a founder member of the Stonewall Immigration Group (which campaigned for Immigration rights for same-sex couples, achieving a significant victory in April 1997) and helped set up the gaypartners.org initiative with gay.com in early 2001, campaigning for same-sex partnership rights. He speaks regularly on national and local radio.

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Freephone Number: **08000 1960 69**  
or email us on [postbox@gayfinance.info](mailto:postbox@gayfinance.info) website: [www.gayfinance.info](http://www.gayfinance.info)