

*These notes relate to the Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14) which received Royal Assent on 1 August 2006*

# LOCAL ELECTORAL ADMINISTRATION AND REGISTRATION SERVICES (SCOTLAND) ACT 2006

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## EXPLANATORY NOTES

### THE ACT

#### **Part 2: Registration Services**

#### **Marriages and civil partnerships: procedure**

#### *Section 52 Civil partnership procedure: miscellaneous amendments*

127. **Section 52** amends the Civil Partnership Act 2004 (“the 2004 Act”). Subsection (2) paves the way for electronic submission of the notice of a proposed civil partnership, by allowing regulations to provide for this, for the fee and the prescribed documents (including the partners’ birth certificates) to be sent separately, and by allowing the notice to be attested rather than signed. Subsection (3) brings the period of notice which must be given to the registrar of a civil partnership in Scotland into line with the period of notice for a marriage, correcting an error in the 2004 Act. Subsection (4) paves the way for electronic submission of an objection to a civil partnership registration by regulations and by allowing any supporting certificate to be sent separately and to be attested rather than signed. Subsection (5) mirrors, for a civil partnership which has been validly registered, existing provisions preventing challenge to the validity of a marriage on a minor technical flaw. Subsection (6) brings section 98 of the 2004 Act, which applies to civil partnerships certain sections of the 1965 Act, into line with the 1965 Act as amended by the Act. Subsection (7) amends section 122 of the 2004 Act to apply the provisions of section 39C of the 1965 Act (see section 44(5) of the Act) to the Register of Dissolutions of Civil Partnership.
128. **Section 52** was brought into force on 1st October 2006 and 1st January 2007, except for subsection (6) insofar as it relates to the new section 39A of the 1965 Act (to be inserted by section 44(5) of the Act).