
Changes to legislation: There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Paragraph 2. (See end of Document for details)

SCHEDULE 2 CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

PART 1

APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

Interpretation

- 2 In section 25 (interpretation)—
- (a) the existing words become subsection (1),
 - (b) in the definitions of “full gender recognition certificate” and “interim gender recognition certificate”, for “5 or 5A” substitute “ 4C, 4E, 4F, 5, 5A or 5D ”,
 - (c) before the definition of “registered psychologist” insert—
 - ““protected Scottish civil partnership” means a civil partnership registered in Scotland,
 - “protected Scottish marriage” means a marriage solemnised in Scotland,” and
 - (d) after subsection (1) insert—
 - “(2) A civil partnership which was registered outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 of the Civil Partnership Act 2004 is to be treated for the purposes of this Act as having been registered in Scotland if—
 - (a) the parties to the civil partnership elected Scotland as the relevant part of the United Kingdom under the Order, and
 - (b) details of the civil partnership have been sent to the Registrar General for Scotland.
 - (3) A marriage which was registered outside the United Kingdom under the Foreign Marriage Act 1892 (other than a marriage registered by virtue of section 18 of that Act) is to be treated for the purposes of this Act as having been solemnised in Scotland if details of the marriage have been sent to the Registrar General for Scotland.
 - (4) A marriage which was solemnised outside the United Kingdom and registered under an Order in Council made under the Registration of Births, Deaths and Marriages (Special Provisions) Act 1957 is to be treated for the purposes of this Act as having been solemnised in Scotland if details of the marriage have been sent to the Registrar General for Scotland.
 - (5) A consular marriage in relation to which the relevant part of the United Kingdom is Scotland is to be treated for the purposes of this Act as having been solemnised in Scotland.
 - (6) In subsection (5)—
 - “consular marriage” means a marriage solemnised in accordance with Part 1 of Schedule 6 to the Marriage (Same Sex Couples) Act 2013 and any Order in Council made under it,

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“relevant part of the United Kingdom”, in relation to such a marriage, means the part of the United Kingdom determined in accordance with paragraph 1(2)(b) of that Part of that Schedule for the purposes of the marriage.”.

Commencement Information

II Sch. 2 para. 2 in force at 16.12.2014 by S.S.I. 2014/287, art. 3, Sch.

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