



Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

PART 1

MARRIAGE

CHAPTER 2

MARRIAGE BETWEEN CIVIL PARTNERS IN QUALIFYING CIVIL PARTNERSHIPS

10 Change of qualifying civil partnership into marriage

- (1) The Scottish Ministers may by regulations make provision to establish a procedure for the parties to a qualifying civil partnership to change their civil partnership into a marriage.
- (2) Regulations under subsection (1) may in particular make provision—
 - (a) about the making by the parties to a qualifying civil partnership of an application to change their civil partnership into a marriage,
 - (b) about the information to be provided in support of an application,
 - (c) about the provision of evidence in support of an application,
 - (d) for persons who have made an application to appear before any person or appear at any place,
 - (e) conferring functions on persons in relation to applications,
 - (f) for fees, of such amounts as are specified in or determined in accordance with the regulations, to be payable in respect of—
 - (i) the making of an application,
 - (ii) the exercise of any function conferred by virtue of paragraph (e).
- (3) Functions conferred by virtue of subsection (2)(e) may include functions relating to—
 - (a) the recording of information relating to qualifying civil partnerships changing into marriages,
 - (b) the issuing of certified copies of any information recorded.

- (4) Before making regulations under subsection (1), the Scottish Ministers must consult the Registrar General of Births, Deaths and Marriages for Scotland.
- (5) Regulations under subsection (1)—
 - (a) may make different provision for different purposes,
 - (b) may include consequential, supplementary, incidental, transitional, transitory or saving provision,
 - (c) may modify any enactment (including this Act),
 - (d) are (except where subsection (6) applies) subject to the negative procedure.
- (6) Regulations under subsection (1) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure.
- (7) In this section “qualifying civil partnership” has the meaning given by section 5(6) of the 1977 Act (inserted by section 8(3)(b) of this Act).