

Changes to legislation: Civil Partnership Act 2004, Part 3 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 23

IMMIGRATION CONTROL AND FORMATION OF CIVIL PARTNERSHIPS

PART 3

SCOTLAND

Application of this Part

[^{F1}8 This Part of this Schedule applies as mentioned in paragraph [^{F2}1(1)].]

Textual Amendments

- F1** Sch. 23 para. 8 substituted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), **ss. 58(8)**, 75(3); S.I. 2015/371, art. 2(1)(j) (with art. 6)
- F2** Word in Sch. 23 para. 8 substituted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 3 para. 8(c)** (with art. 1(3))

Procedure for giving notice of proposed civil partnership

- 9 (1) Notice under section 88—
- (a) may be submitted to the district registrar of a district specified for the purposes of this paragraph by regulations made by the Secretary of State, and
 - (b) may not be submitted to the district registrar of any other registration district.
- (2) Before making any regulations under this paragraph the Secretary of State must consult the Registrar General.

Commencement Information

- II** Sch. 23 para. 9 wholly in force at 5.12.2005; Sch. 23 para. 9 not in force at Royal Assent see s. 263; Sch. 23 para. 9 in force for certain purposes at 15.4.2005 by [S.I. 2005/1112](#), **art. 2**, [Sch. 1](#) and Sch. 23 para. 9 in force otherwise at 5.12.2005 by [S.I. 2005/3175](#), **art. 2(1)**, [Sch. 1](#)

Pre-condition for making entry in civil partnership notice book etc.

- 10 (1) ^{F3}.....
- (2) Where the district registrar to whom notice is [^{F4}submitted by virtue of paragraph 9(1)] (here the “notified registrar”) is not the district registrar for the proposed place of registration (here the “second registrar”)—

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- (a) the notified registrar shall ^{F5} . . . send the notices and any fee, [^{F6}paid, or any certificate or declaration submitted, in pursuance of section 88 in relation to the proposed civil partnership], to the second registrar, and
- (b) the second registrar shall be treated as having received the notices from the intended partners on the dates on which the notified registrar received them.
- (3) ^{F7}

Textual Amendments

- F3** Sch. 23 para. 10(1) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), [art. 5\(1\)\(c\)](#)
- F4** Words in Sch. 23 para. 10(2) substituted (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), [art. 5\(2\)](#)
- F5** Words in Sch. 23 para. 10(2)(a) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), [art. 5\(1\)\(d\)](#)
- F6** Words in Sch. 23 para. 10(2)(a) substituted (S.) (1.1.2007) by [Local Electoral Administration and Registration Services \(Scotland\) Act 2006 \(asp 14\)](#), [ss. 59\(5\)](#), 63(2); S.S.I. 2006/469, [art. 3](#), Sch. 2
- F7** Sch. 23 para. 10(3) repealed (9.5.2011) by [The Asylum and Immigration \(Treatment of Claimants, etc\) Act 2004 \(Remedial\) Order 2011 \(S.I. 2011/1158\)](#), [art. 5\(1\)\(e\)](#)

Commencement Information

- I2** Sch. 23 para. 10 wholly in force at 5.12.2005; Sch. 23 para. 10 not in force at Royal Assent see s. 263; Sch. 23 para. 10(1)(3) in force for certain purposes at 15.4.2005 by [S.I. 2005/1112](#), [art. 2](#), Sch. 1 and Sch. 23 para. 10 in force otherwise at 5.12.2005 by [S.I. 2005/3175](#), [art. 2\(1\)](#), Sch. 1

Supplementary

- 11 (1) Part 3 of this Act has effect in any case where this Part of this Schedule applies subject to any necessary modification.
- (2) An expression used in this Part of this Schedule and in Part 3 of this Act has the same meaning as in that Part.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)