

**2005 No. 428 (C. 20)**

**CIVIL PARTNERSHIP**

**The Civil Partnership Act 2004 (Commencement No. 1)  
(Scotland) Order 2005**

*Made* - - - -

*31st August 2005*

The Scottish Ministers, in exercise of the powers conferred upon them by sections 258(2) and 263(3) of the Civil Partnership Act 2004(a), after consulting the Secretary of State in accordance with section 263(3) of that Act, hereby make the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Civil Partnership Act 2004 (Commencement No. 1) (Scotland) Order 2005.

(2) In this Order “the Act” means the Civil Partnership Act 2004 and references to sections are references to sections of the Act.

**Provisions coming into force on 14th September 2005**

**2.**—(1) Subject to paragraph (2), the provisions of the Act specified in the first column of the Schedule to this Order (which specifies the powers to be commenced) shall come into force on 14th September 2005.

(2) Where a particular purpose is specified in relation to a provision in the second column of the Schedule, that provision shall come into force on that date only for that purpose; where no particular purpose is specified it shall come into force on that date for all purposes.

*GEORGE LYON*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
31st August 2005

## SCHEDULE

Article 2

### Provisions of the Act coming into force on 14th September 2005

<i>Column 1 – provisions</i>	<i>Column 2 - purpose</i>
Section 88(1) and (5)	For the purpose of the power to prescribe matters by regulations.
Section 89(1)	For the purpose of the power to prescribe particulars by regulations.
Section 89(2)	
Section 90(4)	
Section 94	For the purpose of the power to prescribe a form by regulations.
Section 95(3) and (4)	
Section 97(3)	For the purpose of the power to prescribe a form by regulations.
Section 99(2)	For the purpose of the power to prescribe errors by regulations.
Section 122(3)	
Section 122(4)	For the purpose of the power to prescribe fees by regulations.
Section 126	
Section 134	For the purpose of the power to prescribe matters by regulations.
Sections 135 and 136	

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 14th September 2005 the provisions of the Civil Partnership Act 2004 (c.33) (“the Act”) listed in column 1 of the Schedule to the Order, all of which extend to Scotland only.

These provisions of the Act are being commenced only for particular purposes where that purpose is specified in the corresponding entry in column 2 of the Schedule to the Order. Those purposes relate to the making of regulations by the Registrar General under Part 3 of the Act.

A full Regulatory Impact Assessment has not been produced for this instrument. A Regulatory Impact Assessment identifying the impact on business and the exchequer of the provisions in the Act was published at the time the Act received Royal Assent in November 2004. It is available from <http://www.dti.gov.uk/access/ria/index.htm>.

Sections 213(2) to (6), 247(2) to (7), 248(2) to (5), 254(2) to (6), 255, 258 to 260 and 262 to 264 of the Act came into force on Royal Assent.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act which extend to Scotland, after consultation with the Scottish Ministers for those in Part 5 of the Act (Civil Partnership formed or dissolved abroad etc.), have been brought into force by commencement order made before the date of this Order:—

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
ss. 210(1), (2), (4) and (5), 211, 219, 226, 237(2) to (5) and 239 to 244 s. 245 (partially) Sch. 23, paras. 2(1) and (3), 9, 10(1) and (3) and 17 (partially) Sch. 26, paras. 4, 5, 8 and 17 (partially) Sch. 27, para. 12 Sch. 27, paras. 21 and 162 (partially) Sch. 27, para. 163	15th April 2005	2005/1112

Other provisions of the Act not relevant to Scotland have been commenced for other parts of the United Kingdom.

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