

SCHEDULES

SCHEDULE 23

IMMIGRATION CONTROL AND FORMATION OF CIVIL PARTNERSHIPS

PART 3

SCOTLAND

Application of this Part

- 8 This Part of this Schedule applies if the civil partnership is to be formed in Scotland.

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.

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

- 10 (1) Where the district registrar to whom notice is submitted by virtue of paragraph 9(1) is the district registrar for the proposed place of registration, he shall neither—
- (a) make an entry under section 89, nor
 - (b) complete a civil partnership schedule under section 94,
- in respect of the proposed civil partnership unless satisfied, by the provision of specified evidence, that the intended civil partner subject to immigration control fulfils the qualifying condition.
- (2) Where the district registrar to whom notice is so submitted (here the “notified registrar”) is not the district registrar for the proposed place of registration (here the “second registrar”)—
- (a) the notified registrar shall, if satisfied as is mentioned in sub-paragraph (1), send the notices and any fee, certificate or declaration which accompanied them, 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) “Specified evidence” means such evidence as may be specified in guidance issued by the Secretary of State after consultation with the Registrar General.

Status: This is the original version (as it was originally enacted).

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.