



Civil Partnership Act 2004

2004 CHAPTER 33

PART 5

CIVIL PARTNERSHIP FORMED OR DISSOLVED ABROAD ETC.

CHAPTER 2

OVERSEAS RELATIONSHIPS TREATED AS CIVIL PARTNERSHIPS

213 Specified relationships

- (1) A specified relationship is a relationship which is specified for the purposes of section 212 ^[F1]—
 - (a) in the case of a relationship registered by two people who under the relevant law are of the same sex when the relationship is registered, by Part 1 of Schedule 20,
 - (b) in the case of a relationship registered by two people who under the relevant law are not of the same sex when the relationship is registered, by Part 2 of Schedule 20.]
- (2) The ^[F2]Secretary of State may by order amend ^[F3]Part 1 of Schedule 20 by—
 - (a) adding a relationship,
 - (b) amending the description of a relationship, or
 - (c) omitting a relationship.
- (3) No order may be made under this section ^[F4]amending Part 1 of Schedule 20 without the consent of the Scottish Ministers and the Department of Finance and Personnel.
- ^[F5](3A) No order may be made under this section amending Part 2 of Schedule 20 without the consent of the Department of Finance.]
- (4) The power to make an order under this section is exercisable by statutory instrument.

Changes to legislation: *Civil Partnership Act 2004, Section 213 is up to date with all changes known to be in force on or before 26 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*

- (5) An order which contains any provision (whether alone or with other provisions) amending [^{F6}Part 1 of] Schedule 20 by—
- (a) amending the description of a relationship, or
 - (b) omitting a relationship,
- may not be made unless a draft of the statutory instrument containing the order is laid before, and approved by a resolution of, each House of Parliament.
- (6) A statutory instrument containing any other order under this section [^{F7}amending Part 1 of Schedule 20] is subject to annulment in pursuance of a resolution of either House of Parliament.
- [^{F8}(7) The Scottish Ministers may by regulations amend Part 2 of Schedule 20 by—
- (a) adding a relationship,
 - (b) amending the description of a relationship,
 - (c) omitting a relationship.
- (8) Regulations under subsection (7)—
- (a) amending the description of a relationship or omitting a relationship, are subject to the affirmative procedure,
 - (b) adding a relationship, are subject to the negative procedure.]

Textual Amendments

- F1** Words in s. 213(1) substituted (E.W.) (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **5(3)(a)**; (N.I.) (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **17(3)(a)** (with regs. 6-9); and (S.) (1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(a)**, 16; S.S.I. 2020/414, reg. 2(1)(a)(2); S.S.I. 2021/23, reg. 2, sch. (with reg. 3)
- F2** Words in s. 213(2) substituted (18.8.2010) by [The Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), art. 7, **Sch. para. 6**
- F3** Words in s. 213(2) inserted (S.) (1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(b)**, 16; S.S.I. 2020/414, reg. 2(1)(a)(2); S.S.I. 2021/23, reg. 2, sch. (with reg. 3)
- F4** Words in s. 213(3) inserted (E.W.) (2.12.2019) by [The Civil Partnership \(Opposite-sex Couples\) Regulations 2019 \(S.I. 2019/1458\)](#), regs. 1(2), **5(3)(b)**; (N.I.) (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **17(3)(b)** (with regs. 6-9); and (S.) (1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(c)**, 16; S.S.I. 2020/414, reg. 2(1)(a)(2); S.S.I. 2021/23, reg. 2, sch. (with reg. 3)
- F5** S. 213(3A) inserted (N.I.) (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **17(3)(c)** (with regs. 6-9)
- F6** Words in s. 213(5) inserted (S.) (1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(d)**, 16; S.S.I. 2020/414, reg. 2(1)(a)(2); S.S.I. 2021/23, reg. 2, sch. (with reg. 3)
- F7** Words in s. 213(6) inserted (S.) (1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(e)**, 16; S.S.I. 2020/414, reg. 2(1)(a)(2); S.S.I. 2021/23, reg. 2, sch. (with reg. 3)

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F8 S. 213(7)(8) inserted (18.1.2021 for specified purposes, 1.2.2021 for specified purposes, 1.6.2021 in so far as not already in force) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), **ss. 2(3)(f)**, 16; [S.S.I. 2020/414](#), **reg. 2(1)(a)(2)**; [S.S.I. 2020/457](#), **reg. 2(a)**; [S.S.I. 2021/23](#), **reg. 2**, **sch.** (with **reg. 3**)

Modifications etc. (not altering text)

C1 S. 213: functions transferred (12.10.2007) by [The Transfer of Functions \(Equality\) Order 2007 \(S.I. 2007/2914\)](#), **art. 3(2)(e)**

C2 S. 213: functions transferred (18.8.2010) by [The Transfer of Functions \(Equality\) Order 2010 \(S.I. 2010/1839\)](#), **art. 3(1)(e)**

Commencement Information

I1 S. 213 wholly in force at 5.12.2005; s. 213(2)-(6) in force at Royal Assent, see s. 263(5)(6); s. 213(1) in force at 5.12.2005 by [S.I. 2005/3175](#), **art. 3**, **Sch. 2**

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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\(2\)](#)