

SCHEDULES

SCHEDULE 4

EFFECT ON MARRIAGE

PART 2

SCOTLAND

Marriage (Scotland) Act 1977 (c. 15)

7 In section 2 of the Marriage (Scotland) Act 1977 (marriage of related persons), insert at the end—

“(6) Subsections (1A) and (1B) above and paragraphs 2 and 2A of Schedule 1 to this Act have effect subject to the following modifications in the case of a party to a marriage whose gender has become the acquired gender under the Gender Recognition Act 2004 (“the relevant person”).

(7) Any reference in those provisions to a former wife or former husband of the relevant person includes (respectively) any former husband or former wife of the relevant person.

(8) And—

(a) the reference in paragraph (b) of subsection (1B) above to the relevant person’s son’s mother is to the relevant person’s son’s father if the relevant person is the son’s mother; and

(b) the reference in paragraph (d) of that subsection to the relevant person’s daughter’s father is to the relevant person’s daughter’s mother if the relevant person is the daughter’s father.”