

## SCHEDULES

### SCHEDULE 2

#### EXTRA-TERRITORIAL MATTERS

#### PART 2

#### MARRIAGE TREATED AS CIVIL PARTNERSHIP: DISSOLUTION, ANNULMENT OR SEPARATION

##### *Order made in relation to civil partnership: validity in relation to marriage*

- 4 (1) This paragraph applies in a case where a marriage of a same sex couple under the law of England and Wales is—
- (a) by virtue of an order under paragraph 1, treated under the law of Scotland as a civil partnership, or
  - (b) by virtue of paragraph 2, treated under the law of Northern Ireland as a civil partnership.
- (2) If—
- (a) a final order is made in relation to the deemed civil partnership, and
  - (b) the validity of that order is recognised throughout the United Kingdom,
- that order has, throughout the United Kingdom, the same effect in relation to the actual marriage that it has in relation to the deemed civil partnership.
- (3) If—
- (a) a separation order is made in relation to the relevant couple as parties to the deemed civil partnership, and
  - (b) the validity of that order is recognised throughout the United Kingdom,
- that order has, throughout the United Kingdom, the same effect in relation to the couple as parties to the actual marriage that it has in relation to them as parties to the deemed civil partnership (and has effect in relation to any other persons accordingly).
- (4) In this paragraph—
- “actual marriage” means the marriage of the same sex couple under the law of England and Wales;
  - “deemed civil partnership” means the civil partnership which the actual marriage is treated as being;
  - “final order” means—
    - (a) the dissolution or annulment of a civil partnership obtained from a court of civil jurisdiction in any part of the United Kingdom;
    - (b) an overseas dissolution or annulment;
  - “relevant couple” means the same sex couple who are parties to the actual marriage;
  - “separation order” means—

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*Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, PART 2. (See end of Document for details)*

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- (a) a legal separation of the parties to a civil partnership obtained from a court of civil jurisdiction in any part of the United Kingdom;
- (b) an overseas legal separation of the parties to a civil partnership.

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**Commencement Information**

**II** Sch. 2 para. 4 in force at 13.3.2014 by S.I. 2014/93, art. 3(h)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, PART 2.