

2011 No. 2679

IMMIGRATION

The Immigration (Procedure for Formation of Civil Partnerships) Regulations 2011

| | | |
|-------------------------------|---------|---------------------------|
| <i>Made</i> | - - - - | <i>7th November 2011</i> |
| <i>Laid before Parliament</i> | | <i>10th November 2011</i> |
| <i>Coming into force</i> | - - | <i>1st December 2011</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by paragraphs, 4, 9, 13 and 16(3)(a) of Schedule 23 to the Civil Partnership Act 2004(a).

In accordance with paragraphs 4(4), 9(2) and 13(2) of Schedule 23 to the Civil Partnership Act 2004 she has consulted with the Registrar General.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Immigration (Procedure for Formation of Civil Partnerships) Regulations 2011 and shall come into force on 1 December 2011.

(2) In these Regulations—

- (a) “the 2004 Act” means the Civil Partnership Act 2004; and
- (b) “civil partnership” means a civil partnership which exists under or by virtue of the 2004 Act.

Specified registration authorities in England and Wales

2.—(1) The registration authorities in England and Wales listed in the left-hand column of the Schedule to these Regulations are specified for the purposes of paragraph 4(1)(a) of Schedule 23 to the 2004 Act.

(2) An employee or officer or other person provided by a specified registration authority is a “relevant individual” for the purposes of paragraph 4(1)(b) and (2) of Schedule 23 to the 2004 Act if he or she—

- (a) is authorised by that authority to attest notices of proposed civil partnership; and
- (b) is located at the office specified in relation to that authority in the right-hand column of the Schedule to these Regulations.

Specified registration districts in Scotland

3. Every registration district in Scotland is specified for the purposes of paragraph 9(1)(a) of Schedule 23 to the 2004 Act.

Prescribed registrars in Northern Ireland

4. The registrar of every register office in Northern Ireland is prescribed for the purposes of paragraph 13(1)(a) of Schedule 23 to the 2004 Act.

Revocation

5. These regulations revoke the Immigration (Procedure for Formation of Civil Partnerships) Regulations 2005(a).

Home Office
7th November 2011

Damian Green
Minister of State

(a) S.I. 2005/2917 as amended by S.I. 2011/1158.

SCHEDULE

Regulation 2

SPECIFIED REGISTRATION AUTHORITIES IN ENGLAND AND WALES

| <i>Specified registration authorities</i> | <i>Offices specified in relation to specified registration authorities</i> |
|--|--|
| The London Borough of Barking and Dagenham | The register office for Barking and Dagenham |
| The London Borough of Barnet | The register office for Barnet |
| City of Birmingham | The register office for Birmingham |
| Borough of Blackburn with Darwen | The register office for Blackburn with Darwen |
| London Borough of Brent | The register office for Brent |
| City of Brighton and Hove | The register office for Brighton and Hove |
| City of Bristol | The register office for Bristol |
| County of Cambridgeshire | The register office for Cambridgeshire |
| London Borough of Camden | The register office for Camden |
| City and County of Cardiff | The register office for Cardiff |
| County of Ceredigion | The register office for Cardiganshire North |
| County Borough of Conwy | The register office for Conwy |
| County of Cornwall | The register office for Cornwall |
| City of Coventry | The register office for Coventry |
| London Borough of Croydon | The register office for Croydon |
| County of Cumbria | The register office for Cumbria |
| County of Devon | The register office for Devon |
| London Borough of Ealing | The register office for Ealing |
| London Borough of Enfield | The register office for Enfield |
| County of Essex | The register office for Essex |
| County of Gloucestershire | The register office for Gloucestershire |
| London Borough of Greenwich | The register office for Greenwich |

| <i>Specified registration authorities</i> | <i>Offices specified in relation to specified registration authorities</i> |
|---|--|
| London Borough of Hackney | The register office for Hackney |
| London Borough of Hammersmith and Fulham | The register office for Hammersmith and Fulham |
| County of Hampshire | The register office for Hampshire |
| London Borough of Haringey | The register office for Haringey |
| London Borough of Harrow | The register office for Harrow |
| London Borough of Havering | The register office for Havering |
| County of Hertfordshire | The register office for Hertfordshire |
| London Borough of Hillingdon | The register office for Hillingdon |
| London Borough of Hounslow | The register office for Hounslow |
| Royal Borough of Kensington and Chelsea | The register office for Kensington and Chelsea |
| County of Kent | The register office for Kent |
| City of Kingston upon Hull | The register office for Hull |
| Royal Borough of Kingston upon Thames | The register office for Kingston upon Thames |
| London Borough of Islington | The register office for Islington |
| London Borough of Lambeth | The register office for Lambeth |
| City of Leeds | The register office for Leeds |
| City of Leicester | The register office for Leicester |
| London Borough of Lewisham | The register office for Lewisham |
| County of Lincolnshire | The register office for Lincolnshire |
| City of Liverpool | The register office for Liverpool |
| Borough of Luton | The register office for Luton |
| City of Manchester | The register office for Manchester |
| London Borough of Merton | The register office for Merton |
| Borough of Middlesbrough | The register office for Middlesbrough |
| Borough of Milton Keynes | The register office for Milton Keynes |

| <i>Specified registration authorities</i> | <i>Offices specified in relation to specified registration authorities</i> |
|---|--|
| City of Newcastle upon Tyne | The register office for Newcastle upon Tyne |
| London Borough of Newham | The register office for Newham |
| County of Norfolk | The register office for Norfolk |
| County of Northamptonshire | The register office for Northamptonshire |
| City of Nottingham | The register office for Nottingham |
| County of Oxfordshire | The register office for Oxfordshire |
| County of Pembrokeshire | The register office for Pembrokeshire |
| City of Peterborough | The register office for Peterborough |
| City of Plymouth | The register office for Plymouth |
| County of Powys | The register office for Powys |
| Borough of Reading | The register office for Reading |
| London Borough of Redbridge | The register office for Redbridge |
| City of Sheffield | The register office for Sheffield |
| County of Shropshire | The register office for Shropshire |
| Borough of Slough | The register office for Slough |
| City of Southampton | The register office for Southampton |
| London Borough of Southwark | The register office for Southwark |
| City of Stoke on Trent | The register office for Stoke on Trent |
| County of Suffolk | The register office for Suffolk |
| County of Surrey | The register office for Surrey |
| City and County of Swansea | The register office for Swansea |
| Borough of Swindon | The register office for Swindon |
| London Borough of Tower Hamlets | The register office for Tower Hamlets |
| London Borough of Waltham Forest | The register office for Waltham Forest |
| London Borough of Wandsworth | The register office for Wandsworth |
| City of Westminster | The register office for Westminster |
| County of West Sussex | The register office for West Sussex |

| <i>Specified registration authorities</i> | <i>Offices specified in relation to specified registration authorities</i> |
|---|--|
| County Borough of Wrexham | The register office for Wrexham |

Explanatory Note

(This note is not part of the Regulations)

Schedule 23 to the Civil Partnership Act 2004 (“the 2004 Act”) makes provisions for certain procedures to be followed where a civil partnership is to be formed in the United Kingdom. If the civil partnership is to be formed in England and Wales, paragraph 4(1)(a) of Schedule 23 requires that the notice of proposed civil partnership must be given to a specified registration authority and must be delivered to the relevant individual in person by the two proposed civil partners. By regulation 2(1), the registration authorities in England and Wales listed in the left-hand column of the Schedule are specified for the purposes of paragraph 4(1) of Schedule 23 to the 2004 Act, and regulation 2(2) defines the relevant individual to whom notice must be delivered by reference to the register offices listed in the right-hand column of the Schedule.

If the civil partnership is to be formed in Scotland, paragraph 9(1) of Schedule 23 requires that notice must be given to the district registrar of a specified registration district, and similarly if the civil partnership is to be formed in Northern Ireland, paragraph 13(1) of Schedule 23 requires that notice must be given to a prescribed registrar. By regulation 3 every registration district in Scotland is specified for the purposes of paragraph 9(1) of Schedule 23 to the 2004 Act, and by regulation 4 the registrar of every register office in Northern Ireland is prescribed for the purposes of paragraph 13(1) of Schedule 23 to the 2004 Act.

These regulations revoke and replace the Immigration (Procedure for Formation of Civil Partnerships) Regulations 2005 (S.I. 2005/2917). They update the list of register offices specified for registration authorities and also reflect the withdrawal of the requirement to seek the Secretary of State’s permission to form a civil partnership following the Immigration (Treatment of Claimants, etc.) Act 2004 (Remedial) Order 2011 (S.I. 2011/1158).

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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