



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT 2014

### PART 1

#### MARRIAGE

#### CHAPTER 1

#### SAME SEX MARRIAGE

- 1 Marriage of related persons
- 2 Objections to marriage
- 3 Preliminaries to marriage
- 4 Meaning of marriage and related expressions in enactments and documents
- 5 Same sex marriage: further provision
- 6 Jurisdiction in proceedings relating to same sex marriages
- 7 Reser: abolition of defence

#### CHAPTER 2

#### MARRIAGE BETWEEN CIVIL PARTNERS IN QUALIFYING CIVIL PARTNERSHIPS

- 8 Marriage between civil partners in qualifying civil partnerships
- 9 Power to modify meaning of “qualifying civil partnership”
- 10 Change of qualifying civil partnership into marriage
- 11 Effect of marriage between civil partners in a qualifying civil partnership

### **CHAPTER 3**

#### **SOLEMNISATION OF MARRIAGE**

- 12 Persons who may solemnise marriage
- 13 Registration of nominated persons as celebrants
- 14 Temporary authorisation of celebrants
- 15 Religious or belief marriage: further provision

### **CHAPTER 4**

#### **SAME SEX MARRIAGE: PROTECTION OF FREEDOM OF EXPRESSION ETC.**

- 16 Same sex marriage: protection of freedom of expression etc.

### **CHAPTER 5**

#### **OTHER CHANGES TO MARRIAGE PROCEDURE**

- 17 Power of district registrar to require evidence of nationality: marriage
- 18 The Marriage Schedule
- 19 Marriage outside Scotland: evidence of dissolution of former civil partnership
- 20 Religious marriages: solemnisation by Church of Scotland deacons
- 21 Places at which civil marriages may be solemnised
- 22 Second marriage ceremony: form of endorsement

### **CHAPTER 6**

#### **SHERIFF COURT JURISDICTION IN RELATION TO DECLARATOR OF MARRIAGE**

- 23 Sheriff court jurisdiction in relation to declarator of marriage

#### **PART 2**

#### **CIVIL PARTNERSHIP**

- 24 Registration of civil partnership
- 25 Power of district registrar to require evidence of nationality: civil partnership
- 26 Recognition of overseas relationships
- 27 Dissolution of civil partnership: evidence

#### **PART 3**

#### **MARRIAGE AND CIVIL PARTNERSHIP: OTHER PROVISION**

- 28 Bigamy

#### **PART 4**

#### **CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS**

- 29 Change of gender of married persons or civil partners
- 30 Renewed marriage or civil partnership following issue of full gender recognition certificate

- 31 Grounds of divorce: interim gender recognition certificate followed by full certificate

## **PART 5**

### REGISTRATION SERVICES

- 32 Provision of certain information to district registrars  
33 Form of register of marriages

## **PART 6**

### GENERAL PROVISIONS

- 34 Interpretation  
35 Ancillary provision  
36 Commencement  
37 Short title

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#### SCHEDULE 1 — JURISDICTION IN PROCEEDINGS RELATING TO SAME SEX MARRIAGES

- 1 Domicile and Matrimonial Proceedings Act 1973  
2 Presumption of Death (Scotland) Act 1977

#### SCHEDULE 2 — CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

##### PART 1 — APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

- 1 Introductory  
2 Interpretation  
3 Evidence  
4 Successful applications  
5 Issue of full gender recognition certificate after interim certificate: applicant married  
6 Issue of full gender recognition certificate after interim certificate: grounds of divorce  
7 Applications by both civil partners  
8 Appeals etc.  
9 Registration  
10 Continuity of marriage  
11 Continuity of civil partnership  
12 Foreign gender change and marriage

##### PART 2 — ALTERNATIVE GROUNDS FOR GRANTING APPLICATIONS FOR GENDER RECOGNITION CERTIFICATES

- 13 Introductory  
14 Alternative grounds for granting applications  
15 After section 3B insert— Alternative grounds for granting applications: Scotland...  
16 Evidence for granting applications on alternative grounds  
17 After section 3C (inserted by paragraph 15) insert— Evidence for...  
18 Membership of Panels determining applications on alternative grounds

##### PART 3 — CONSEQUENTIAL AMENDMENTS

- 19 (1) In section 7(1) (applications: supplementary), before “5(2)” insert  
“4C,...