

*These notes relate to the Marriage and Civil Partnership (Scotland)
Act 2014 (asp 5) which received Royal Assent on 12 March 2014*

MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT 2014

EXPLANATORY NOTES

COMMENTARY

Part 4 – Change of gender of married persons or civil partners

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

215. [Section 31](#) amends the Divorce (Scotland) Act 1976. Under section 1(1)(b) of the 1976 Act, the issue of an interim gender recognition certificate is one of the grounds for divorce in Scotland. Section 31(3), however, amends section 1 of the 1976 Act (i) to provide that a divorce cannot be obtained on the grounds of the issue of the interim gender recognition certificate where *the Panel* has gone on to issue a full gender recognition certificate, but (ii) to ensure that where *the sheriff* issues the full gender recognition certificate under section 4E, divorce on the grounds of the issue of the interim gender recognition certificate will still be available.