

*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

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## EXPLANATORY NOTES

### SCHEDULES

#### *Schedule 1: Jurisdiction in proceedings relating to same sex marriages*

##### **Domicile and Matrimonial Proceedings Act 1973**

224. Paragraph 1(2) amends the 1973 Act to set out which provisions in respect of jurisdiction in matrimonial actions do not apply to marriages of same sex couples, which are instead dealt with in Schedule 1B, inserted by paragraph 1(4). Paragraph 1(3) amends section 10 of the 1973 Act, to reflect that references to EC Regulation 2201/2003 are not relevant for same sex married couples, as the Regulation extends to opposite sex marriage only.
225. Paragraph 1(4) inserts a new Schedule 1B into the 1973 Act. Paragraph 1 of the new Schedule 1B sets out that the Schedule has effect with respect to the jurisdiction of the court to entertain proceedings relating to the ending of a same sex marriage (divorce, separation, nullity) and proceedings relating to a marriage's validity, including whether or not the marriage exists. The paragraph also provides definitions.