

SCHEDULE 2 CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

PART 1

APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

Applications by both civil partners

7 Before section 6 insert—

“5C Protected Scottish civil partnership: applications by both civil partners

- (1) This section applies where a Gender Recognition Panel decides to issue a full gender recognition certificate to a party to a protected Scottish civil partnership.
- (2) The Panel must not issue the full gender recognition certificate to that person unless the Panel issues a full gender recognition certificate to the other party to the protected Scottish civil partnership.
- (3) In such a case, the Panel must issue both certificates on the same day.
- (4) Those certificates take effect at the beginning of the day on which they are issued.

5D Protected Scottish civil partnership: power to make further provision for issue of full certificate

- (1) The Scottish Ministers may by order provide for the issue by a Gender Recognition Panel, on an application under section 1(1) by a qualifying person, of a full gender recognition certificate in additional circumstances to those specified in section 4(3C)(b) or 5C.
- (2) In subsection (1), “qualifying person” means a person who is a party to a protected Scottish civil partnership.
- (3) An order under subsection (1) may include, in particular, provision about—
 - (a) the evidence or other information that is to be included with an application,
 - (b) the procedure to be followed in determining an application, including provision for the giving of notice to any person,
 - (c) the effect of the issuing to the applicant of a full gender recognition certificate in relation to the civil partnership to which the applicant is party.
- (4) Provision under subsection (3)(c) may include, in particular, provision for changing the civil partnership into a marriage.
- (5) An order under subsection (1) may modify this Act or any other enactment.
- (6) Before making an order under subsection (1), the Scottish Ministers must consult the following persons on a copy of the proposed draft order—
 - (a) the Registrar General for Scotland,

Status: This is the original version (as it was originally enacted).

- (b) the Gender Recognition Panel, and
- (c) such other persons as the Scottish Ministers consider appropriate.”.