



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## PART 4

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

#### **30 Renewed marriage or civil partnership following issue of full gender recognition certificate**

- (1) The Scottish Ministers may by regulations make provision about—
  - (a) the solemnisation of a renewed marriage between the parties to a protected Scottish marriage following the issue of a full gender recognition certificate to a party (or both parties) to the marriage,
  - (b) the registration of a renewed civil partnership between the parties to a protected Scottish civil partnership following the issue of full gender recognition certificates to [<sup>F1</sup>a party (or both parties)] to the civil partnership.
- (2) Regulations under subsection (1) may in particular make provision—
  - (a) about the submitting by the parties to the protected Scottish marriage of notice of intention to enter into a renewed marriage,
  - (b) about the submitting by the parties to the protected Scottish civil partnership of notice of intention to enter into a renewed civil partnership,
  - (c) about the information to be provided by the parties,
  - (d) about the provision of evidence by the parties,
  - (e) for the parties to appear before any person or appear at any place,
  - (f) conferring functions on persons in relation to a renewed marriage or renewed civil partnership,
  - (g) for fees, of such amounts as are specified in or determined in accordance with the regulations, to be payable in respect of—
    - (i) the submitting of notice of intention to enter into a renewed marriage or renewed civil partnership,
    - (ii) the exercise of any function conferred by virtue of paragraph (f).
- (3) Functions conferred by virtue of subsection (2)(f) may include functions relating to—

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*Changes to legislation: There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 30. (See end of Document for details)*

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- (a) the recording of information relating to a renewed marriage or renewed civil partnership,
  - (b) the issuing of certified copies of any information recorded,
  - (c) the conducting of services or ceremonies in connection with a renewed marriage or renewed civil partnership.
- (4) Before making regulations under subsection (1), the Scottish Ministers must consult the Registrar General of Births, Deaths and Marriages for Scotland.
- (5) Regulations under subsection (1)—
- (a) may include consequential, supplementary, incidental, transitional, transitory or saving provision,
  - (b) may make provision applying any provision of the 1977 Act or the 2004 Act (either with or without modifications),
  - (c) may modify any enactment (including this Act),
  - (d) are (except where subsection (6) applies) subject to the negative procedure.
- (6) Regulations under subsection (1) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure.
- (7) In this section “full gender recognition certificate”, “protected Scottish civil partnership” and “protected Scottish marriage” have the meanings given by section 25 of the Gender Recognition Act 2004.

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**Textual Amendments**

- F1** Words in s. 30(1)(b) substituted (30.11.2021) by [Civil Partnership \(Scotland\) Act 2020 \(asp 15\)](#), s. 16, [sch. 2 para. 7\(2\)](#); S.S.I. 2021/351, reg. 2, sch. (with reg. 3)

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**Commencement Information**

- I1** S. 30 in force at 1.9.2014 by S.S.I. 2014/212, art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 30.