



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## PART 1

### MARRIAGE

#### CHAPTER 2

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

#### **8 Marriage between civil partners in qualifying civil partnerships**

- (1) The 1977 Act is amended as follows.
- (2) In section 3 (notice of intention to marry), in subsection (1), after paragraph (ba) (inserted by section 3(2)(a)(ii) of this Act), insert—
  - “(bb) if the person is in a qualifying civil partnership within the meaning of section 5(6) with the other party to the intended marriage, an extract from the entry in the civil partnership register relating to the civil partnership;”.
- (3) In section 5 (objections to marriage)—
  - (a) in subsection (4)(b), after “partnership” insert “ other than a qualifying civil partnership with each other ”, and
  - (b) after subsection (5) insert—
    - “(6) For the purposes of subsection (4)(b) a “qualifying civil partnership” is a civil partnership which—
      - (a) was registered in Scotland; and
      - (b) has not been dissolved, annulled or ended by death.
- (7) A civil partnership which was registered outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 of the Civil Partnership Act 2004 is to be treated for the purposes of subsection (6) (a) as having been registered in Scotland if—

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**Changes to legislation:** There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 8. (See end of Document for details)

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- (a) the parties to the civil partnership elected Scotland as the relevant part of the United Kingdom under the Order; and
- (b) details of the civil partnership have been sent to the Registrar General of Births, Deaths and Marriages for Scotland.”.

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**Commencement Information**

**II** S. 8 in force at 16.12.2014 by [S.S.I. 2014/287](#), art. 3, [Sch.](#)

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