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**Changes to legislation:** Civil Partnership Act 2004, Paragraph 7 is up to date with all changes known to be in force on or before 02 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 3

#### REGISTRATION BY FORMER SPOUSES ONE OF WHOM HAS CHANGED SEX

##### *Modified procedures for certain non-residents*

- 7 (1) Sub-paragraphs (5) to (8) apply (in place of section 20) in the following [<sup>F1</sup>two] cases.
- (2) The first is where—
- (a) two people wish to register as civil partners of each other in England and Wales, and
  - (b) one of them (“A”) resides in Scotland and the other (“B”) resides in England or Wales.
- (3) <sup>F2</sup>.....
- (4) The [<sup>F3</sup>second] is where—
- (a) two people wish to register as civil partners of each other in England and Wales, and
  - (b) one of them (“A”) is [<sup>F4</sup>an officer, seaman or marine borne on the books of one of Her Majesty's ships at sea] and the other (“B”) resides in England or Wales.
- (5) A is not required to give a notice of proposed civil partnership to a registration authority in England or Wales in order to register in England or Wales as B’s civil partner.
- [<sup>F5</sup>(6) B may make the necessary declaration without reference to A's usual place of residence for any period.]
- (7) If, on giving such notice, B makes an election under this paragraph, Chapter 1 of Part 2 applies with the modifications given in paragraphs 4 to 6 and the further modifications in sub-paragraph (8).
- (8) The further modifications are that—
- (a) the civil partnership schedule is not to be issued by a registration authority unless A or B produces to that registration authority a certificate of no impediment issued to A under the relevant provision;
  - (b) the applicable period is the period of one month beginning with the day on which B’s notice is given;
  - (c) section 31 applies as if in subsections (1)(a) and (2)(c) for “each notice” there were substituted “ B’s notice ”.
- (9) “The relevant provision” means—
- (a) if A resides in Scotland, section 97;
  - (b) <sup>F6</sup>.....

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(c) if A is <sup>F7</sup>an officer, seaman or marine borne on the books of one of Her Majesty's ships at sea], section 239.

(10) <sup>F8</sup>.....

**Textual Amendments**

**F1** Word in Sch. 3 para. 7(1) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(2)** (subject to art. 1(3))

**F2** Sch. 3 para. 7(3) omitted (5.12.2005) by virtue of [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(3)** (subject to art. 1(3))

**F3** Word in Sch. 3 para. 7(4) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(4)(a)** (subject to art. 1(3))

**F4** Words in Sch. 3 para. 7(4) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(4)(b)** (subject to art. 1(3))

**F5** Sch. 3 para. 7(6) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(5)** (subject to art. 1(3))

**F6** Sch. 3 para. 7(9)(b) omitted (5.12.2005) by virtue of [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(6)(a)** (subject to art. 1(3))

**F7** Words in Sch. 3 para. 7(9)(c) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(6)(b)** (subject to art. 1(3))

**F8** Sch. 3 para. 7(10) omitted (5.12.2005) by virtue of [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 18(7)** (subject to art. 1(3))

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)