

EXECUTIVE NOTE

The Marriages and Civil Partnerships (Fees) (Scotland) Regulations 2005(SSI 2005/ 556)

1. The above instrument was made in exercise of the powers conferred by sections 37(2) and 38(2) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965, as they are applied by section 98 of the Civil Partnership Act 2004, section 3(1) of the Marriage (Scotland) Act 1977 and sections 88(1), 95(4), 122(4) and 134(2) of the Civil Partnership Act 2004. The instrument is subject to negative resolution procedure.

Policy Objectives

2. Registration service fees are set by the Registrar General for Scotland with the approval of the Scottish Ministers by regulations made under the Registration of Births, Deaths and Marriages (Scotland) Act 1965, the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004.

3. The level of fees is reviewed annually to ensure that the cost of providing chargeable services is fully recovered and to take account when fixing charges of any likely future increases in costs.

4. The purpose of this instrument is to:-

a) Increase the fee for submission of a marriage notice and legal preliminaries from £20 per person to £25 per person. This recognises the increasing workload involved.

b) Provide for a new fee of £25 per person to be charged for submission of a notice of intention to enter a civil partnership.

c) Provide for a new fee of £45 to be charged for the registration of a civil partnership.

d) Set fees for searches and the issuing of extracts of entries in the civil partnership register and the Register of Dissolution of Civil Partnerships.

Consultation

5. GROS consulted the Convention of Scottish Local Authorities (CoSLA) and the Association of Registrars of Scotland) (AROS) on the level of fees.

Financial Effects

6. The costs associated will be borne by those who wish to marry or register a civil partnership.