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*Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Cross Heading: Evidence. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

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

##### PART 1

##### APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

##### *Evidence*

- 2 Section 3 (evidence): after subsection (6) insert—
- “(6A) If the applicant is married, an application under section 1(1) must include a statutory declaration as to whether the marriage is a marriage under the law of England and Wales, of Scotland, of Northern Ireland, or of a country or territory outside the United Kingdom.
- (6B) If the applicant is married, and the marriage is a protected marriage, an application under section 1(1) must also include—
- (a) a statutory declaration by the applicant's spouse that the spouse consents to the marriage continuing after the issue of a full gender recognition certificate (“a statutory declaration of consent”) (if the spouse has made such a declaration), or
  - (b) a statutory declaration by the applicant that the applicant's spouse has not made a statutory declaration of consent (if that is the case).
- (6C) If an application includes a statutory declaration of consent by the applicant's spouse, the Gender Recognition Panel must give the spouse notice that the application has been made.”.

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##### **Commencement Information**

**II** Sch. 5 para. 2 in force at 10.12.2014 by S.I. 2014/3169, art. 2

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