
STATUTORY INSTRUMENTS

2013 No. 2872

CIVIL PARTNERSHIP

**The Civil Partnership (Registration Abroad
and Certificates) (Amendment) Order 2013**

Made - - - - *6th November 2013*
Laid before Parliament *13th November 2013*
Coming into force - - *1st January 2014*

At the Court at Buckingham Palace, the 6th day of November 2013

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by sections 241 and 244 of the Civil Partnership Act 2004⁽¹⁾, is pleased, by and with the advice of Her Privy Council, to make the following Order.

Citation, interpretation and commencement

1.—(1) This Order may be cited as the Civil Partnership (Registration Abroad and Certificates) (Amendment) Order 2013.

(2) In this Order—

“overseas relationship” means a relationship which is either a specified relationship under Schedule 20 to the Civil Partnership Act 2004 or a relationship which meets the general conditions in paragraph (3), and is registered with a responsible authority in a country or territory outside the United Kingdom, by two people who under the law of that country or territory are of the same sex at the time when they do so, and neither of whom is already a civil partner or lawfully married;

“registration officer” has the same meaning as in section 210(6) of the Civil Partnership Act 2004;

(3) The general conditions are that, under the law under which the overseas relationship was registered—

(a) the relationship may not be entered into if either party is already a party to a relationship of that kind or lawfully married;

- (b) the relationship is of indeterminate duration; and
 - (c) the effect of entering into the relationship is that the parties are—
 - (i) treated as a couple either generally or for specified purposes, or
 - (ii) treated as married.
- (4) This Order comes into force on 1st January 2014.

Amendment of the Civil Partnership (Registration Abroad and Certificates) Order 2005

2. Article 15 of the Civil Partnership (Registration Abroad and Certificates) Order 2005(2) is omitted.

Saving provision

3.—(1) Any person shall be entitled to obtain, from the Registrar General for England and Wales, from the Registrar General of Births, Deaths and Marriages for Scotland, or from the Registrar General for Northern Ireland, a certified copy of any of the documents specified in paragraph (3) on payment of a fee in respect of the provision of the copy and any necessary search for the document.

(2) The fee payable under paragraph (1) is the same fee as is for the time being charged by the relevant Registrar General for the provision of a certified copy of, and any necessary search for, an entry in the records of civil partnerships in their custody.

- (3) The documents referred to in paragraph (1) are—
- (a) a certificate of an overseas relationship;
 - (b) any translation of such a certificate;
 - (c) any certificate produced by the registration officer regarding the accuracy of the translation;

that was transmitted to the Registrar General before the coming into force of this Order.

(4) A certified copy provided by a Registrar General under paragraph (1) of any entry in the register is sufficient evidence of the formation of an overseas relationship.

Richard Tilbrook
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Civil Partnerships (Registration Abroad and Certificates) Order 2005 to remove the requirement for registration officers (consular officers) to transmit certificates of overseas relationships to the Registrar General in England and Wales, Scotland or Northern Ireland. Registration officers remain under an obligation to transmit certificates of consular civil partnerships to the Registrar General.

Article 3 ensures that any person whose certificate was transmitted before this service is removed may still obtain a certified copy of that certificate from the appropriate Registrar General upon payment of a fee.