

# MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT 2014

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## EXPLANATORY NOTES

### SCHEDULES

#### *Schedule 2: Change of gender of married persons or civil partners*

#### **Part 1 – Applications by married persons and civil partners**

##### **Applications by both civil partners**

285. [Paragraph 7](#) inserts new section 5C into the Gender Recognition Act. If both parties to a protected Scottish civil partnership make successful applications to the Panel, section 4(2)(c) of the Gender Recognition Act as amended by this Act applies, and both parties will be entitled to full gender recognition certificates. In such cases, the new section 5C enables the Panel to issue full gender recognition certificates to both parties simultaneously, ensuring that the continuity of the civil partnership is not affected by the changes in law to the gender of both parties.
286. [Paragraph 7](#) also inserts new section 5D into the Gender Recognition Act. This empowers the Scottish Ministers to make provision by order to set up other procedures to enable the Panel to issue full gender recognition certificates to applicants in a protected Scottish civil partnership. By virtue of amendments made by paragraph 19, any such orders are subject to the affirmative procedure.