

## SCHEDULE 2 CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

### PART 1

#### APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

##### *Evidence*

- 3 In section 3 (evidence), before subsection (7) insert—
- “(6D) If the applicant is a party to a protected Scottish marriage, an application under section 1(1) must also include—
- (a) a statutory declaration by the applicant that the applicant wishes the marriage to continue after the issue of a full gender recognition certificate (if that is the case), and
  - (b) either—
    - (i) 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
    - (ii) a statutory declaration by the applicant that no such declaration by the applicant’s spouse is included.
- (6E) If an application includes a statutory declaration of consent by the applicant’s spouse under subsection (6D)(b)(i), the Gender Recognition Panel must give the spouse notice that the application has been made.
- (6F) If the applicant is a party to a protected Scottish civil partnership, an application under section 1(1) must also include a statutory declaration as to where the civil partnership was registered and, if the civil partnership was registered outside the United Kingdom, that details of the civil partnership have been sent to the Registrar General for Scotland.”.