



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## PART 1

### MARRIAGE

#### CHAPTER 2

##### MARRIAGE BETWEEN CIVIL PARTNERS IN QUALIFYING CIVIL PARTNERSHIPS

#### **10 Change of qualifying civil partnership into marriage**

- (1) The Scottish Ministers may by regulations make provision to establish a procedure for the parties to a qualifying civil partnership to change their civil partnership into a marriage.
- (2) Regulations under subsection (1) may in particular make provision—
  - (a) about the making by the parties to a qualifying civil partnership of an application to change their civil partnership into a marriage,
  - (b) about the information to be provided in support of an application,
  - (c) about the provision of evidence in support of an application,
  - (d) for persons who have made an application to appear before any person or appear at any place,
  - (e) conferring functions on persons in relation to applications,
  - (f) for fees, of such amounts as are specified in or determined in accordance with the regulations, to be payable in respect of—
    - (i) the making of an application,
    - (ii) the exercise of any function conferred by virtue of paragraph (e).
- (3) Functions conferred by virtue of subsection (2)(e) may include functions relating to—
  - (a) the recording of information relating to qualifying civil partnerships changing into marriages,
  - (b) the issuing of certified copies of any information recorded.

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*Changes to legislation: There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 10. (See end of Document for details)*

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- (4) Before making regulations under subsection (1), the Scottish Ministers must consult the Registrar General of Births, Deaths and Marriages for Scotland.
- (5) Regulations under subsection (1)—
- (a) may make different provision for different purposes,
  - (b) may include consequential, supplementary, incidental, transitional, transitory or saving provision,
  - (c) may modify any enactment (including this Act),
  - (d) are (except where subsection (6) applies) subject to the negative procedure.
- (6) Regulations under subsection (1) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure.
- (7) In this section “qualifying civil partnership” has the meaning given by [F1section 5(6)(a)(i)(A) of the 1977 Act].

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**Textual Amendments**

- F1** Words in s. 10(7) substituted (31.10.2015) by [The Qualifying Civil Partnership Modification \(Scotland\) Order 2015 \(S.S.I. 2015/371\)](#), arts. 1, 5

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**Commencement Information**

- I1** S. 10 in force at 1.9.2014 by [S.S.I. 2014/212](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 10.