# **EXPLANATORY NOTES**

# CIVIL PARTNERSHIP (SCOTLAND) ACT 2020

#### INTRODUCTION

### **OVERVIEW**

#### **COMMENTARY ON PROVISIONS**

# Extension of civil partnership to different sex couples

- Section 1: Different sex civil partnerships
- Section 2: Recognition of overseas different sex relationships
- Section 3: Interim recognition of different sex relationships formed outwith Scotland

# Power to enable marriages to become civil partnerships

Section 4: Power to enable marriages to become civil partnerships

# Recognition of marriages converted to civil partnerships outwith Scotland

Section 5: Recognition of marriages converted to civil partnerships outwith Scotland

# Eligibility and Registration in Scotland

- Section 6: Eligibility of persons of different sexes to enter into a civil partnership
- Section 7: Persons who may register civil partnerships between persons of different sexes
- Section 8: Registration and removal of celebrants
- Section 9: Temporary authorisation of celebrants

### Second registration of civil partnership

Section 10: Second registration of civil partnership

### **Dissolution**

Section 11: Postponement of decree of dissolution where religious impediment to marry exists

# Marriage between civil partners in a qualifying civil partnership: celebrants

Section 12: Marriage between civil partners in a qualifying civil partnership: celebrants

# Forced civil partnerships

Section 13: Forced civil partnerships

# **Consequential Modifications**

Section 14: Consequential modifications

# **Final provisions**

Section 15: Ancillary provision

Section 16: Commencement

# Family law

Paragraph 1: Modification of the Registration of Births, Deaths and Marriages (Scotland) Act 1965

Paragraph 2: Modification of the Family Law (Scotland) Act 1985

Paragraph 3: Modification of the Law Reform (Parent and Child) (Scotland) Act 1986

Paragraph 4: Modification of the Children (Scotland) Act 1995

# Change of gender of civil partners

Modification of the Gender Recognition Act 2004 Overview of the modifications to the Gender Recognition Act

Modification of sections 3 and 3D

**Modification of section 4** 

**Modification of section 4C** 

**Modification of section 4D** 

**Modification of section 4E** 

Repeal of section 4F

**Modification of section 5A** 

Repeal of section 5C

Repeal of section 5D

**Further minor changes** 

# Nullity of civil partnership and recognition of dissolution

Paragraph 6(3) Register of Dissolutions of Civil Partnership

These notes relate to the Civil Partnership (Scotland) Act 2020 (asp 15)

Paragraph 6(4): Jurisdiction in respects of declarator of nullity of civil partnership

Paragraph 6(5): Recognition of overseas dissolutions

# PARLIAMENTARY HISTORY