



Civil Partnership (Scotland) Act 2020

2020 asp 15

Eligibility and registration in Scotland

7 Persons who may register civil partnerships between persons of different sexes

(1) The Civil Partnership Act 2004 is amended as follows.

(2) In section 94A (persons who may register civil partnerships)—

(a) in subsection (1)—

- (i) after “A civil partnership” insert “ between persons of the same sex ”,
- (ii) in paragraph (a)(i) after “civil partnerships” insert “ between persons of the same sex ”,
- (iii) in paragraph (a)(ii) after “section 94B” insert “ to register civil partnerships between persons of the same sex ”,
- (iv) in paragraph (a)(iii) after “section 94E” insert “ to register civil partnerships between persons of the same sex ”,

(b) after subsection (2) insert—

“(2A) A civil partnership between persons of different sexes may be registered by and only by—

(a) a person who is—

- (i) a celebrant of a religious or belief body prescribed by regulations made by the Scottish Ministers, or who, not being a celebrant, is recognised by a religious or belief body so prescribed as entitled to register civil partnerships between persons of different sexes on its behalf,
- (ii) registered under section 94B to register civil partnerships between persons of different sexes, or
- (iii) temporarily authorised under section 94E to register civil partnerships between persons of different sexes, or

(b) a person who is a district registrar or assistant registrar appointed under section 87.

Changes to legislation: There are currently no known outstanding effects for the Civil Partnership (Scotland) Act 2020, Section 7. (See end of Document for details)

- (2B) The Scottish Ministers may prescribe a religious or belief body under subsection (2A)(a)(i) only if—
- (a) the body requests them to do so, and
 - (b) the Scottish Ministers are satisfied that the body meets the qualifying requirements.”,
- (c) in subsection (3)—
- (i) for “or (2)(a)” substitute “, (2)(a), (2A)(a) or (2B)(a) ”,
 - (ii) in paragraph (a) after “subsection (2)(a)” insert “ or subsection (2B)(a) ”,
 - (iii) in paragraph (b) after “civil partnerships” insert “ between persons of the same sex or between persons of different sexes ”,
 - (iv) in paragraph (c) after “civil partnerships” insert “ between persons of the same sex or between persons of different sexes ”,
 - (v) in paragraph (d) after “civil partnerships” in the second place that it appears insert “ between persons of the same sex or between persons of different sexes ”,
- (d) in subsection (4)(a) after “subsection (1)(a)” insert “ or (2A)(a) ”,
- (e) in subsection (5) for “subsection (2)(b)” substitute “ subsections (2)(b) and (2B)(b) ”,
- (f) in section 126(4) (regulations) after “94A(1)(a)(i)” insert “, (2A)(a)(i) ”.

Commencement Information

- I1** S. 7(1)(2)(b)(f) in force at 18.1.2021 for specified purposes by [S.S.I. 2020/457](#), [reg. 2\(b\)](#)
- I2** S. 7(1)(2)(f) in force at 1.6.2021 in so far as not already in force by [S.S.I. 2021/23](#), [reg. 2](#), [sch.](#) (with [reg. 3](#))
- I3** S. 7(2)(a)(c)(d) in force at 1.6.2021 by [S.S.I. 2021/23](#), [reg. 2](#), [sch.](#) (with [reg. 3](#))
- I4** S. 7(2)(b) in force at 1.6.2021 for specified purposes by [S.S.I. 2021/23](#), [reg. 2](#), [sch.](#) (with [reg. 3](#))

Changes to legislation:

There are currently no known outstanding effects for the Civil Partnership (Scotland) Act 2020, Section 7.