

EXPLANATORY NOTE

(This note is not part of the Order)

This Order modifies the meaning of qualifying civil partnership in section 5(6) of the Marriage (Scotland) Act 1977 so as to include civil partnerships registered outside Scotland and makes amendments to the 1977 Act and the Marriage and Civil Partnership (Scotland) Act 2014 related to that modification. The effect of the Order is that parties to a civil partnership registered outside Scotland could, in the future, change their relationship into a marriage in Scotland.

The Order also provides that if an overseas relationship was registered as having been entered into before the date on which such relationships were recognised in Scotland (5th December 2005) then the couple will be treated for the purposes of section 11(2)(b) of the 2014 Act as having been married to each other since 5th December 2005 rather than the date on which the overseas relationship was registered.