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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations contribute to the implementation of Regulation (EU) 2016/1191 of the European Parliament and of the Council on promoting the free movement of citizens by simplifying the requirements for presenting certain public documents in the European Union (OJ L 200, 26.7.2016, p.1) (“the EU Regulation”). The EU Regulation takes full effect on 16 February 2019.

Amongst other things, the EU Regulation establishes multilingual standard forms which are to accompany certain civil status documents (such as birth certificates) and which are to be issued by the relevant authorities in Member States of the European Union. It also provides (at Article 6.1) that where such a multilingual standard form accompanies a civil status document issued in one Member State, the authorities in another Member State may not require a translation of the civil status document to be provided. This is subject to conditions in the EU Regulation.

Regulations 2 and 3 amend, respectively, the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004. These amendments reflect the effect of Article 6.1 of the EU Regulation. Section 3 of the Marriage (Scotland) Act 1977 requires parties to a proposed marriage to submit certain documents when giving the district registrar notice of intention to marry. Where such a document is not in English a translation must be provided (section 3(3)). Regulation 2(2) and (3) disapplies that requirement where a multilingual standard form under the EU Regulation accompanies the document and it provides the district registrar with sufficient information. Regulation 2(4) provides for the same effect where the intimation to the district registrar is in respect of a marriage due to take place outside Scotland. Regulation 3 makes equivalent provision for notice of proposed civil partnership.

No business and regulatory impact assessment has been prepared for these Regulations as no impact upon business, charities or voluntary bodies is foreseen.