
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 351

The Civil Partnership (Scotland) Act 2020 (Commencement No. 4, Saving and Transitional Provision) Regulations 2021

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Civil Partnership (Scotland) Act 2020 (Commencement No. 4, Saving and Transitional Provision) Regulations 2021 and come into force on 30 November 2021.

(2) In these Regulations—

“the 2004 Act” means the Gender Recognition Act 2004(1),

“the 2020 Act” means the Civil Partnership (Scotland) Act 2020.

Provisions coming into force on 30 November 2021

2.—(1) 30 November 2021 is the day appointed for the coming into force of the provisions of the 2020 Act specified in column 1 of the table in the schedule of these Regulations, the subject matter of which is described in column 2 of the table.

(2) Where a purpose is specified in column 3 of the table in relation to any provision, the provision comes into force on 30 November 2021 for that purpose only.

Transitional and saving provision

3.—(1) This regulation applies where—

(a) an application under section 1 of the 2004 Act has been received by a Gender Recognition Panel(2) (“the Panel”) before 30 November 2021,

(b) the Panel has not, before that date, granted or rejected the application, and

(c) it appears to the Panel that the amendments made by paragraph 5 of schedule 2 of the 2020 Act might affect the outcome of the application.

(2) The Panel must—

(a) inform the applicant of the difference of outcome that appears possible,

(b) ask if the applicant wishes for the application to be dealt with in accordance with the 2004 Act as amended by that paragraph, and

(c) give the applicant a reasonable opportunity to provide any further information or statutory declarations that would be required for the application to be so dealt with.

(3) The Panel must deal with the application in accordance with the 2004 Act as so amended if the applicant—

(a) expresses a wish for the Panel to do so, and

(1) 2004 c. 7.

(2) Gender Recognition Panels were established by, and are constituted in accordance with, the provisions of schedule 1 of the Gender Recognition Act 2004 (c. 7).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) duly provides any information or statutory declarations required under paragraph (2)(c).
- (4) Otherwise the Panel must continue to deal with the application in accordance with the 2004 Act as it would have effect without the amendments referred to in paragraph (1)(c).

St Andrew's House,
Edinburgh
5th October 2021

SHONA ROBISON
A member of the Scottish Government