Draft Order laid before Parliament under section 14(1) of the Legislative and Regulatory Reform Act 2006; draft to lie for forty days, pursuant to section 16(3) of the said Act of 2006, during which period either House of Parliament may resolve that the Order be not made.

DRAFT STATUTORY INSTRUMENTS

2010 No.

REGULATORY REFORM

The Legislative Reform (Civil Partnership) Order 2010

 Made
 2010

 Coming into force
 2010

The Secretary of State, Foreign and Commonwealth Office ("the Secretary of State") makes this Order in exercise of the powers conferred by section 1 of the Legislative and Regulatory Reform Act 2006(a) ("the 2006 Act").

For the purposes of section 3(1) of the 2006 Act, the Secretary of State considers that, where relevant, the conditions under section 3(2) are satisfied.

The Secretary of State has consulted in accordance with section 13(1) of the 2006 Act.

The Secretary of State has laid a draft of this Order and an explanatory document before Parliament in accordance with section 14(1) of the 2006 Act.

Pursuant to section 15 of the 2006 Act, the negative resolution procedure (within the meaning of Part 1 of that Act) applies in relation to the making of this Order.

Neither House of Parliament has resolved, within the 40-day period referred to in section 16(3) of the 2006 Act, that the Secretary of State should not make this Order.

Citation and Commencement

1. This Order may be cited as the Legislative Reform (Civil Partnership) Order 2010 and shall come into force on the day after it is made.

⁽a) 2006 c.51; see section 32 for the definitions of "Minister of the Crown" and "regulatory function".

Amendments to the Civil Partnership Act 2004

- **2.**—(1) Section 210 of the Civil Partnership Act 2004(a) (registration at British consulates etc) is amended as follows.
- (2) In subsection (1)(b), for the words "a prescribed officer of Her Majesty's Diplomatic Service" substitute "a registration officer".
 - (3) In subsection (3), for "An officer" substitute "A registration officer".
 - (4) After subsection (5) insert—
 - "(6) "Registration officer" means—
 - (a) a consular officer in the service of Her Majesty's government in the United Kingdom, or
 - (b) in the case of registration in a country in which Her Majesty's government in the United Kingdom has for the time being no consular representative, a person authorised by the Secretary of State in respect of registration of civil partnerships in that country."

Signed by the Secretary of State, Foreign and Commonwealth Office

Name
Secretary of State
Foreign and Commonwealth Office

Date

2

⁽a) 2004 c.33.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Civil Partnership Act 2004 ("the 2004 Act"). Article 2(2) amends section 210(1)(b) of the 2004 Act to remove the restriction that civil partnerships may only be registered in the presence of a prescribed officer of Her Majesty's Diplomatic Service. The new section 210(1)(b) permits registration to be carried out before a registration officer and Article 2(3) amends section 210(3) of the 2004 Act to reflect this change.

Article 2(4) of the Order amends section 210 of the 2004 Act to add a definition of "registration officer", which encompasses consular officers and authorised individuals in countries in which the United Kingdom has no consular representative.

An impact assessment has been prepared in respect of this Order and may be obtained from Consular Directorate, Foreign and Commonwealth Office, Old Admiralty Building, London, SW1A 2PA. It is also annexed to the explanatory document which is available alongside this Order on the OPSI website.

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