
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014.

(2) Subject to paragraph (3), this Order comes into force on 13th March 2014.

(3) The amendment made to the Family Law (Scotland) Act 2006⁽¹⁾ at paragraph 31 of Schedule 1 comes into force on 3rd June 2014.

(4) In this Order—

“the Act” means the Marriage (Same Sex Couples) Act 2013; and

“the 2004 Act” means the Civil Partnership Act 2004.

Consequential amendments to Acts of Parliament

2. Schedule 1 to this Order (which amends primary legislation in consequence of the Act, the 2004 Act and the Human Fertilisation and Embryology Act 2008) has effect.

Contrary provision to section 11(1) and (2) of, and paragraphs 1 to 3 of Schedule 3 to, the Act

3. Schedule 2 to this Order (which makes provision to which section 11(1) and (2) of, and paragraphs 1 to 3 of Schedule 3 to, the Act are subject and which disapplies that section and those paragraphs in specified cases) has effect.

Consequential amendments to enactments etc. as a result of contrary provision made by Schedule 2

4. Schedule 3 to this Order (which makes amendments to enactments etc. in consequence of the provision made by Schedule 2 to this Order) has effect.

Scotland

5. Under the law of Scotland, a marriage of a same sex couple under the law of England and Wales is to be treated as a civil partnership formed under the law of England and Wales, and accordingly, the spouses are to be treated as civil partners.

Extent

6.—(1) Subject to paragraphs (2) to (4), this Order extends to England and Wales only.

(1) 2006 asp. 2.

(2) The amendment to the Family Law (Scotland) Act 2006 at paragraph 31 of Schedule 1, and article 2 so far as it relates to that paragraph, extend to Scotland only.

(3) The following provisions extend also to Scotland—

- (a) article 1,
- (b) the amendment to the 2004 Act at paragraph 29(1) and (2) of Schedule 1, and article 2 so far as it relates to that paragraph,
- (c) article 5, and
- (d) this article.

(4) The following provisions extend also to Northern Ireland—

- (a) article 1,
- (b) the amendment to the 2004 Act at paragraph 29(1) and (2) of Schedule 1, and article 2 so far as it relates to that paragraph, and
- (c) this article.

Secretary of State for Culture, Media and Sport
and
Minister for Women and Equalities

Date