



Civil Partnership Act 2004

2004 CHAPTER 33

PART 3

CIVIL PARTNERSHIP: SCOTLAND

CHAPTER 1

FORMATION AND ELIGIBILITY

85 Formation of civil partnership by registration

- (1) For the purposes of section 1, two people are to be regarded as having registered as civil partners of each other once each of them has signed the civil partnership schedule, in the presence of—
- (a) each other,
 - (b) two witnesses both of whom have attained the age of 16, and
 - [^{F1}(c) the approved celebrant or, as the case may be, the authorised registrar.]
- (2) But the two people must be eligible to be so registered.
- (3) Subsection (1) applies regardless of whether subsection (4) is complied with.
- (4) After the civil partnership schedule has been signed under subsection (1), it must also be signed, in the presence of the civil partners and each other by—
- (a) each of the two witnesses, and
 - (b) [^{F2}the approved celebrant or, as the case may be,] the authorised registrar.

Textual Amendments

- F1** S. 85(1)(c) substituted for s. 85(1)(c) and words (16.12.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), [ss. 24\(2\)\(a\)](#), 36; S.S.I. 2014/287, art. 3, sch.

Changes to legislation: Civil Partnership Act 2004, Section 85 is up to date with all changes known to be in force on or before 19 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F2 Words in s. 85(4)(b) inserted (16.12.2014) by [Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#), ss. [24\(2\)\(b\)](#), 36; S.S.I. 2014/287, art. 3, sch.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)