



Civil Partnership Act 2004

2004 CHAPTER 33

PART 3

CIVIL PARTNERSHIP: SCOTLAND

CHAPTER 2

REGISTRATION

[^{F1}88A. Additional information if party not relevant national

- (1) This section applies to a notice of proposed civil partnership submitted to a district registrar in accordance with section 88 if one, or each, of the parties to the proposed civil partnership is not a relevant national.
- (2) For each party to the proposed civil partnership who is not a relevant national, the notice must be accompanied by whichever of statements A, B or C is applicable to that person.
- (3) Statement A is a statement that the person has the appropriate immigration status.
- (4) Statement B is a statement that the person holds a relevant visa in respect of the proposed civil partnership.
- (5) Statement C is a statement that the person neither—
 - (a) has the appropriate immigration status, nor
 - (b) holds a relevant visa in respect of the proposed civil partnership.
- (6) If the notice is accompanied by the statement referred to in the first column of an entry in this table, the notice must also be accompanied by the information and photographs referred to in the second column of that entry (insofar as that entry is applicable to the parties to the proposed civil partnership)—

Changes to legislation: Civil Partnership Act 2004, Section 88A is up to date with all changes known to be in force on or before 19 July 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

<i>If the notice is accompanied by this statement....</i>	<i>...the notice must also be accompanied by....</i>
Statement A (in respect of one or both of the parties to the proposed civil partnership)	For each party in respect of whom statement A is made, details of the particular immigration status which that party has
Statement B (in respect of one or both of the parties to the proposed civil partnership)	<ol style="list-style-type: none"> 1. For each party, a specified photograph of that party 2. For each party in respect of whom statement B is made, details of the relevant visa which that party has
Statement C (in respect of one or both of the parties to the proposed civil partnership)	<ol style="list-style-type: none"> 1. For each party, a specified photograph of that party 2. For each party, the usual address of that party 3. For each party who has previously used any name or names other than the person's name stated in the civil partnership notice, a statement of the other name or names 4. For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases.

(7) If the notice is accompanied by more than one of statements A, B and C, subsection (6) must be complied with in relation to each of those statements; but where the notice is accompanied by statements B and C, subsection (6) does not require the notice to be accompanied by more than one specified photograph of each party.

(8) If the notice is accompanied by statement C for a party to the proposed civil partnership—

- (a) the notice may also be accompanied by a statement (“statement D”) of that person's immigration position in the United Kingdom;
- (b) if the notice is accompanied by statement D for a party to the proposed civil partnership, the person may provide the district registrar with details of his immigration position in the United Kingdom; and
- (c) if any such details are provided, the district registrar must record them.

(9) In this section and section 88B—

- (a) a reference—
 - (i) to a person having the appropriate immigration status, or
 - (ii) to a person holding a relevant visa,
 is to be construed in accordance with section 49 of the 2014 Act;
- (b) a reference to the particular immigration status which a person has is a reference to the immigration status set out in any of paragraphs (a) to (c) of section 49(2) of that Act which the person has;
- (c) a reference to a person's immigration position in the United Kingdom includes a reference to the person's not being entitled to be in the United Kingdom.

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- (10) In this section “specified photograph” means a photograph that is in accordance with regulations made by the Secretary of State under section 54(2) of, and paragraph 3 of Schedule 5 to, the 2014 Act (and for this purpose “photograph” includes other kinds of images).]

Textual Amendments

- F1** Ss. 88A-88F inserted for specified purposes (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 3 para. 2** (with art. 1(3))

Modifications etc. (not altering text)

- C1** S. 88A(9) applied (2.3.2015) by [The Sham Marriage and Civil Partnership \(Scotland and Northern Ireland\) \(Administrative\) Regulations 2015 \(S.I. 2015/404\)](#), regs. 1(2), **17(4)(b)**

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. 3(1)(e) and word inserted by [2024 c. 21 s. 76\(2\)\(b\)](#)
- s. 3(1A)(1B) inserted by [2024 c. 21 s. 76\(3\)](#)
- s. 3(3)(4) inserted by [2024 c. 21 s. 76\(4\)](#)
- s. 19(4)(c) and word inserted by [2024 c. 21 s. 76\(7\)\(b\)](#)
- s. 19(5A)(5B) inserted by [2024 c. 21 s. 76\(8\)](#)
- s. 19(7A) inserted by [2024 c. 21 s. 76\(9\)](#)
- 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\(2\)](#)