

Status: Point in time view as at 01/04/2014.

Changes to legislation: Equality Act 2010, Part 6 is up to date with all changes known to be in force on or before 28 May 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)

SCHEDULES

SCHEDULE 3

SERVICES AND PUBLIC FUNCTIONS: EXCEPTIONS

PART 6

[^{F1}MARRIAGE: GENDER REASSIGNMENT]

Textual Amendments

- F1** Sch. 3 Pt. 6 heading substituted (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\), s. 21\(3\)](#), [Sch. 7 para. 44](#); [S.I. 2014/93](#), art. 3(k)(iv)

Gender reassignment: England and Wales

- 24 (1) A person does not contravene section 29, so far as relating to gender reassignment discrimination, only because of anything done in reliance on section 5B of the Marriage Act 1949 (solemnisation of marriages involving person of acquired gender).
- (2) A person (A) whose consent to the solemnisation of the marriage of a person (B) is required under section 44(1) of the Marriage Act 1949 (solemnisation in registered building) does not contravene section 29, so far as relating to gender reassignment discrimination, by refusing to consent if A reasonably believes that B's gender has become the acquired gender under the Gender Recognition Act 2004.
- (3) Sub-paragraph (4) applies to a person (A) who may, in a case that comes within the Marriage Act 1949 (other than the case mentioned in sub-paragraph (1)), solemnise marriages according to a form, rite or ceremony of a body of persons who meet for religious worship.
- (4) A does not contravene section 29, so far as relating to gender reassignment discrimination, by refusing to solemnise, in accordance with a form, rite or ceremony as described in sub-paragraph (3), the marriage of a person (B) if A reasonably believes that B's gender has become the acquired gender under the Gender Recognition Act 2004.

Commencement Information

- II** Sch. 3 wholly in force at 1.10.2012; Sch. 3 not in force at Royal assent see s. 216; Sch. 3 in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), [art. 2\(3\)](#); Sch. 3 in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), [art. 2\(d\)](#)

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Gender reassignment: Scotland

- 25 (1) An approved celebrant (A) does not contravene section 29, so far as relating to gender reassignment discrimination, only by refusing to solemnise the marriage of a person (B) if A reasonably believes that B's gender has become the acquired gender under the Gender Recognition Act 2004.
- (2) In sub-paragraph (1) “approved celebrant” has the meaning given in section 8(2)(a) of the Marriage (Scotland) Act 1977 (persons who may solemnise marriage).

Commencement Information

- I2** Sch. 3 wholly in force at 1.10.2012; Sch. 3 not in force at Royal assent see s. 216; Sch. 3 in force at 1.10.2010 for certain purposes by [S.I. 2010/2317](#), **art. 2(3)**; Sch. 3 in force so far as not already in force at 1.10.2012 by [S.I. 2012/1569](#), **art. 2(d)**

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