

Status: Point in time view as at 22/11/2019.

Changes to legislation: Equality Act 2010, PART 6B is up to date with all changes known to be in force on or before 05 June 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

[^{F1}PART 6B

MARRIAGE OF SAME SEX COUPLES AND CIVIL PARTNERSHIP: SCOTLAND

Textual Amendments

- F1** Sch. 3 Pt. 6B inserted (16.12.2014) by [The Marriage and Civil Partnership \(Scotland\) Act 2014 and Civil Partnership Act 2004 \(Consequential Provisions and Modifications\) Order 2014 \(S.I. 2014/3229\)](#), art. 1(2), [Sch. 5 para. 19\(5\)\(c\)](#)

Marriage of same sex couples and civil partnership: Scotland

- 25B (1) An approved celebrant does not contravene section 29 only by refusing to solemnise a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the same sex.
- (2) An approved celebrant does not contravene section 29 only by refusing to register a relevant Scottish civil partnership for the reason that the civil partnership is between two persons of the same sex.
- (3) A person does not contravene section 29 only by refusing to participate in a religious or belief ceremony forming part of, or connected with, the solemnising of a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the same sex.
- (4) A person does not contravene section 29 only by refusing to participate in a religious or belief ceremony forming part of, or connected with, the registration of a relevant Scottish civil partnership for the reason that the civil partnership is between two persons of the same sex.
- (5) For the purposes of this paragraph, a person is an approved celebrant for the purposes of both marriage and civil partnership whether the person is an approved celebrant within the meaning of section 8(2)(a) of the Marriage (Scotland) Act 1977 or section 94A(4)(a) of the Civil Partnership Act 2004.
- (6) In this paragraph—
“relevant Scottish civil partnership” means a religious or belief civil partnership within the meaning of section 94A(4)(b) of the Civil Partnership Act 2004;

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“relevant Scottish marriage” means a religious or belief marriage of two persons of the same sex within the meaning of section 8(2)(a) of the Marriage (Scotland) Act 1977.

Marriage of same sex couples: Scottish forces marriages

25C (1) A chaplain does not contravene section 29 only by refusing to solemnise a relevant Scottish forces marriage according to religious rites or usages for the reason that the marriage is the marriage of two persons of the same sex.

(2) In this paragraph—

“chaplain” has the meaning given by paragraph (a) of the definition of “authorised person” in paragraph 12(2) of Schedule 6 to the Marriage (Same Sex Couples) Act 2013;

“forces marriage” has the meaning given by paragraph 12(2) of Schedule 6 to the Marriage (Same Sex Couples) Act 2013;

“relevant Scottish forces marriage” means a forces marriage of two persons of the same sex where Scotland is the relevant part of the United Kingdom within the meaning of paragraph 12 of Schedule 6 to the Marriage (Same Sex Couples) Act 2013.]

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