



# Marriage (Same Sex Couples) Act 2013

## 2013 CHAPTER 30

### PART 2

#### OTHER PROVISIONS RELATING TO MARRIAGE AND CIVIL PARTNERSHIP

VALID FROM 30/06/2014

**12 Change of gender of married persons or civil partners**

Schedule 5 (change of gender of married persons or civil partners) has effect.

VALID FROM 21/01/2014

**13 Marriage overseas**

- (1) Schedule 6 (marriage overseas) has effect.
- (2) The Foreign Marriage Act 1892 is repealed.

VALID FROM 31/10/2013

**14 Marriage according to the usages of belief organisations**

- (1) The Secretary of State must arrange for a review of—
  - (a) whether an order under subsection (4) should be made permitting marriages according to the usages of belief organisations to be solemnized on the authority of certificates of a superintendent registrar, and
  - (b) if so, what provision should be included in the order.

*Status: Point in time view as at 17/07/2013. This version of this part contains provisions that are not valid for this point in time.*

*Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, PART 2. (See end of Document for details)*

- (2) The arrangements made by the Secretary of State under subsection (1) must provide for the review to include a full public consultation.
- (3) The Secretary of State must arrange for a report on the outcome of the review to be produced and published before 1 January 2015.
- (4) The Secretary of State may by order make provision for and in connection with permitting marriages according to the usages of belief organisations to be solemnized on the authority of certificates of a superintendent registrar.
- (5) An order under subsection (4) may—
  - (a) amend any England and Wales legislation;
  - (b) make provision for the charging of fees.
- (6) An order under subsection (4) must provide that no religious service may be used at a marriage which is solemnized in pursuance of the order.
- (7) In this section “belief organisation” means an organisation whose principal or sole purpose is the advancement of a system of non-religious beliefs which relate to morality or ethics.

## 15 Review of civil partnership

- (1) The Secretary of State must arrange—
  - (a) for the operation and future of the Civil Partnership Act 2004 in England and Wales to be reviewed, and
  - (b) for a report on the outcome of the review to be produced and published.
- (2) Subsection (1) does not prevent the review from also dealing with other matters relating to civil partnership.
- (3) The arrangements made by the Secretary of State must provide for the review to begin as soon as practicable and include a full public consultation.

## 16 Survivor benefits under occupational pension schemes

- (1) The Secretary of State must arrange for a review of the following matters relating to occupational pension schemes—
  - (a) relevant differences in survivor benefits;
  - (b) the costs, and other effects, of securing that relevant differences in survivor benefits are eliminated by the equalisation of survivor benefits.
- (2) For the purposes of this section, each of the following are relevant differences in survivor benefits—
  - (a) differences between—
    - (i) same sex survivor benefits, and
    - (ii) opposite sex survivor benefits provided to widows;
  - (b) differences between—
    - (i) same sex survivor benefits, and
    - (ii) opposite sex survivor benefits provided to widowers;
  - (c) differences between—
    - (i) opposite sex survivor benefits provided to widows, and

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- (ii) opposite sex survivor benefits provided to widowers.
- (3) The review must, in particular, consider these issues—
  - (a) the extent to which same sex survivor benefits are provided in reliance on paragraph 18 of Schedule 9 to the Equality Act 2010;
  - (b) the extent to which—
    - (i) same sex survivor benefits, and
    - (ii) opposite sex survivor benefits,are calculated by reference to different periods of pensionable service.
- (4) The arrangements made by the Secretary of State must provide for the person or persons conducting the review to consult such other persons as the Secretary of State considers appropriate.
- (5) The Secretary of State must arrange for a report on the outcome of the review to be produced and published before 1 July 2014.
- (6) If the Secretary of State, having considered the outcome of the review, thinks that the law of England and Wales and Scotland should be changed for the purpose of eliminating or reducing relevant differences in survivor benefits, the Secretary of State may, by order, make such provision as the Secretary of State considers appropriate for that purpose.
- (7) An order under subsection (6) may amend—
  - (a) England and Wales legislation;
  - (b) Scottish legislation.
- (8) In this section—
  - “occupational pension scheme” has the same meaning as in the Pension Schemes Act 1993 (see section 1 of that Act);
  - “opposite sex survivor benefits” means survivor benefits provided to surviving spouses of marriages of opposite sex couples;
  - “same sex survivor benefits” means survivor benefits provided to—
    - (a) surviving civil partners, and
    - (b) surviving spouses of marriages of same sex couples;
  - “survivor benefits” means survivor benefits provided under occupational pension schemes.

**Status:**

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**Changes to legislation:**

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