
EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the International Organisations Act 1968 (“the 1968 Act”), the Companies Act 1985 (“the 1985 Act”) and to the Adoption and Children Act 2002 (“the 2002 Act”) which are consequent upon the coming into force of the Civil Partnership Act 2004 (“the 2004 Act”).

The 1968 Act is amended to enable the conferral of privileges and immunities on civil partners to the same extent, and in the same circumstances, as such privileges and immunities would be conferred on spouses of individuals on whom privileges and immunities are to be conferred under an agreement to which the United Kingdom or Her Majesty’s Government in the United Kingdom is a party.

Section 153(4)(bb) of the 1985 Act is amended so that, like share ownership incentive schemes for spouses of employees and former employees of a company, those for civil partners are not prohibited as a form of financial assistance for the purchase of shares under section 151 of the Act. Similarly, section 743 of the 1985 Act is amended so that share schemes for the civil partners of employees and former employees of a company fall within the definition of “employees’ share scheme” for the purposes of the Act.

Section 79(7) of the 2002 Act is amended by section 79(8) of the 2004 Act. The effect of that amendment is to add civil partnership to the references to marriage in section 79(7) of the 2002 Act. This Order further amends section 79(7) of the 2002 Act by adding a corresponding reference to the 2004 Act to the reference to prohibited degrees for the purposes of the Marriage Act 1949, enabling the Registrar General to advise an adopted person whether he and his proposed civil partner are within the prohibited degrees of relationship as set out in Schedule 1 of the 2004 Act.