

## STATUTORY INSTRUMENTS

# 2014 No. 3181

## The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014

### PART 3

#### Consular Conversions

##### Modifications etc. (not altering text)

- C1** Pt. 3 extended (Northern Ireland) (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(1)**

#### Countries or territories in which consular conversions may take place

**29.** A registration officer may facilitate the conversion of a civil partnership, where at least one of the parties is a United Kingdom national, in those countries or territories outside the United Kingdom which have notified the Secretary of State in writing that there is no objection to such conversions taking place in that country or territory and which have not subsequently revoked that notice.

##### Commencement Information

- II** Reg. 29 in force at 10.12.2014, see [reg. 1](#)

#### Conversion

**30.—(1)** The parties to a civil partnership are to be regarded as having converted their civil partnership into a marriage under this Part when—

- (a) the parties have completed the procedure mentioned in regulation 31;
- (b) at the invitation of the registration officer and in the presence of the registration officer and of each other, each of the parties has signed the conversion declaration; and
- (c) the registration officer has also signed the conversion declaration in the presence of the parties.

(2) No religious service is to be used at a conversion under this Part.

(3) As well as signing the conversion declaration, the parties may, if they wish, say the words of the declaration in regulation 32(d) to each other in the presence of the registration officer.

[<sup>F1</sup>(4) A conversion under this Part of a convertible Northern Ireland civil partnership is effective only if the signing of the conversion declaration as mentioned in paragraph (1)(b) and (c) takes place before the end of the 3 years beginning with the day the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 come into force.]

**F1** Reg. 30(4) inserted (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(4)**

**Commencement Information**

**I2** Reg. 30 in force at 10.12.2014, see [reg. 1](#)

**Conversion procedure**

**31.** Before the parties to a civil partnership can convert their civil partnership into a marriage under this Part, they must—

- (a) attend together in person before the registration officer in consular premises;
- (b) give the registration officer the details required to complete the conversion declaration;
- (c) provide a certified copy of the entry in the civil partnership register made on the formation of their civil partnership [<sup>F2</sup>or, if the conversion is of a convertible Northern Ireland civil partnership, a document issued under section 155(3)(b) of the Civil Partnership Act 2004 relating to the registration of their civil partnership]; and
- (d) provide such evidence as may be required by the registration officer to satisfy the registration officer of the details provided in the conversion declaration.

**F2** Words in [reg. 31\(c\)](#) inserted (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(5)**

**Commencement Information**

**I3** Reg. 31 in force at 10.12.2014, see [reg. 1](#)

**Conversion declaration**

**32.** In this Part of these Regulations, the “conversion declaration” means a document containing—

- (a) the following details pertaining to each of the parties—
  - (i) forenames;
  - (ii) surname;
  - (iii) nationality;
  - (iv) date of birth;
  - (v) sex;
  - (vi) address;
- (b) the date and place of the formation of the civil partnership;
- (c) a statement to the effect that the party has had, for the period of 28 days ending on the day on which the conversion declaration is signed, their usual residence within the consular district of the registration officer;
- (d) a declaration in the following terms: “I solemnly and sincerely declare that we are in a civil partnership with each other and I know of no legal reason why we may not convert our civil partnership into a marriage. I understand that on signing this document we will be converting our civil partnership into a marriage and you will thereby become my lawful wife [*or husband*]”; and

- (e) a declaration that the party believes all of the information and evidence given for the purposes of the conversion declaration is true.

**Commencement Information**

**I4** Reg. 32 in force at 10.12.2014, see [reg. 1](#)

**Duty to register conversions**

**33.**—(1) The registration officer for the consular district, nominated for such purposes by the Secretary of State, must maintain a register, in which each registration officer must register the details included pursuant to regulation 32(a) and (b) on every conversion declaration signed by him or her in accordance with regulation 30(1)(c).

(2) Every nominated registration officer must, at such times as are determined by the Secretary of State, send to the Registrar General for England and Wales a copy of any entry in the register made since that information was last sent, and if there has been no entry over the relevant time period, confirmation of that fact.

(3) A certified copy of any entry in the register must be provided to any person upon request and on payment of the appropriate fee<sup>(1)</sup>, by the Secretary of State until such time as a certified copy is available from the Registrar General for England and Wales and, at all other times, by the Registrar General for England and Wales upon payment of the same fee as would be charged for a copy of an entry in the conversion register in the custody of the Registrar General for England and Wales.

[<sup>F3</sup>(4) Where the Registrar General for England and Wales receives under paragraph (2) a copy of an entry relating to—

- (a) the conversion of a convertible Northern Ireland civil partnership into a marriage, or
- (b) the conversion, under Part 4 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020, of a marriage into a civil partnership,

the Registrar General for England and Wales must send a certified copy of the entry to the Registrar General for Northern Ireland.

(5) A copy of an entry sent to the Registrar General for Northern Ireland under paragraph (4)(a) is a marriage registration record for the purposes of Article 35 of the Marriage (Northern Ireland) Order 2003.

(6) A copy of an entry sent to the Registrar General for Northern Ireland under paragraph (4) (b) is a civil partnership registration record for the purposes of section 155 of the Civil Partnership Act 2004.]

**F3** [Reg. 33\(4\)-\(6\)](#) inserted (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(6)**

**Commencement Information**

**I5** Reg. 33 in force at 10.12.2014, see [reg. 1](#)

**Power to dispense with requirements**

**34.**—(1) If the Secretary of State is satisfied that there are good reasons why the requirement as to residence in regulation 32(c) cannot be complied with, the Secretary of State may authorise the registration officer to amend this part of the conversion declaration to reduce the residence period.

(1) The fee for a certified copy provided by the Secretary of State is prescribed by Order under the Consular Fees Act 1980 (c. 23).

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**Changes to legislation:** There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014, PART 3. (See end of Document for details)

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(2) The Secretary of State must notify the registration officer in writing of the decision to authorise the reduction of the residence period and provide a statement of reasons for the decision.

(3) If the Secretary of State authorises the registration officer to amend the conversion declaration in accordance with paragraph (1), the registration officer must record the good reasons referred to in paragraph (1) and initial the amendment made to the conversion declaration.

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**Commencement Information**

**16** Reg. 34 in force at 10.12.2014, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014, PART 3.