
STATUTORY INSTRUMENTS

2015 No. 50

**The Gender Recognition Register (Marriage
and Civil Partnership) Regulations 2015**

PART 2

The Gender Recognition Marriage Register

Application for registration

4.—(1) The parties to a qualifying marriage may apply to the Registrar General, on a form supplied by the Registrar General for that purpose, for the registration of their marriage in the Gender Recognition Marriage Register.

(2) An application under paragraph (1) must be made jointly by both parties.

(3) In an application under paragraph (1), the parties must provide—

(a) the date on, and place at which, either—

(i) their marriage was solemnized; or

(ii) if their marriage results from the conversion of a civil partnership, the date on, and place at which—

(aa) the civil partnership was formed; and

(bb) the civil partnership was converted into a marriage; and

(b) such other information as the Registrar General indicates is required by these Regulations to be registered in the Gender Recognition Marriage Register.

(4) If, on receipt of a completed application under paragraph (1), the Registrar General requires further information to enable the registration of the qualifying marriage in the Gender Recognition Marriage Register, the Registrar General may request it from the parties.

Entries in Gender Recognition Marriage Register and marking of existing marriage entries

5.—(1) On receipt of a duly completed application under regulation 4(1), and any additional information requested in accordance with regulation 4(4), the Registrar General must—

(a) make an entry in the Gender Recognition Marriage Register containing the particulars referred to in regulation 6;

(b) secure that any marriage register entry relating to the qualifying marriage in the custody of the Registrar General is marked with the words “Re-registered by the Registrar General”; and

(c) make traceable the connection between the entry in the Gender Recognition Marriage Register and the parties’ marriage register entry.

(2) No certified copy of the parties’ marriage register entry is to include anything marked by virtue of paragraph (1)(b).

(3) Information kept by the Registrar General for the purposes of paragraph (1)(c) is not to be open to public inspection or search.

Particulars to be entered in Gender Recognition Marriage Register

6.—(1) Except as provided in paragraph (2) and regulations 7 to 11, the particulars to be registered in the parties' entry in the Gender Recognition Marriage Register are the same particulars as were required by law to be registered in the parties' marriage register entry.

(2) Any entry in the Gender Recognition Marriage Register must reflect the name and gender referred to on the full gender recognition certificate, or certificates, granted to one or both parties.

(3) There is no requirement for an entry in the Gender Recognition Marriage Register to be signed by any person, but (except as provided in regulations 7 to 11) the Registrar General must register the name of any person who signed the parties' marriage register entry (or, in the case of a marriage resulting from the conversion of a civil partnership, their civil partnership register entry) as if they had signed the entry in the Gender Recognition Marriage Register.

(4) Where a marriage is registered in the Gender Recognition Marriage Register as having been solemnized in Wales, the particulars to be contained in the Gender Recognition Marriage Register must be recorded in English, and must also be recorded in Welsh if the parties to the marriage so elect, and provide the required particulars in both languages.

(5) In regulations 7 to 10—

- (a) references to a register office mean the register office that is agreed between the Registrar General and the parties to the qualifying marriage;
- (b) references to a superintendent registrar mean the superintendent registrar in post on the applicable date for the registration district⁽¹⁾ in which the register office or approved premises (as the case may be) is situated;
- (c) "applicable date" means the date on which the qualifying marriage is registered in the Gender Recognition Marriage Register as having been solemnized.

Qualifying marriages resulting from conversion of civil partnership

7.—(1) Where the qualifying marriage to be registered in the Gender Recognition Marriage Register results from the conversion of a civil partnership, the marriage is to be registered in the form prescribed on the applicable date under section 55(1) of the Marriage Act 1949⁽²⁾, as if it had been solemnized in the presence of a superintendent registrar—

- (a) in a register office; or
- (b) if the civil partnership was formed on approved premises that are not religious premises, on those approved premises;

on the date on which the civil partnership was formed.

(2) Where paragraph (1) applies—

- (a) the particulars to be registered in the Gender Recognition Marriage Register are those applicable on the date on which the civil partnership was formed (but see regulation 6(2)); and
- (b) the witnesses to the parties' civil partnership are to be registered in the Gender Recognition Marriage Register as witnesses to the qualifying marriage.

(3) This regulation is subject to regulation 8(1).

(1) Registration district is defined in section 5 of the Registration Service Act 1953 (c. 37).

(2) 1949 c. 76. There are amendments to the section, not relevant here.

Qualifying marriages of same sex couples

8.—(1) Unless the parties to the qualifying marriage specifically request the Registrar General to do so, the Registrar General must not register in the Gender Recognition Marriage Register any of the particulars required by regulations 6(1) or 7 if to do so would indicate that a marriage of a same sex couple was entered into before the date on which the marriage could have been entered into under the 2013 Act.

(2) If, by virtue of the prohibition in paragraph (1), the Registrar General is unable to register the date on which the qualifying marriage took place, the marriage is to be registered as if it had been entered into on the date on which it is registered in the Gender Recognition Marriage Register, and, except as mentioned in paragraphs (3) and (4), the particulars to be recorded (including particulars relating to the superintendent registrar and registrar) must be those applicable on that date.

(3) Where paragraph (2) applies—

- (a) the condition⁽³⁾ of each of the parties is to be registered in the Gender Recognition Marriage Register as it was before they married (or, in the case of a marriage resulting from the conversion of a civil partnership, before they formed the civil partnership), using the forms of words prescribed under section 55(1) of the Marriage Act 1949 on the applicable date (but see regulation 6(2));
- (b) the witnesses to the marriage are to be recorded in the Gender Recognition Marriage Register as they were in the parties' marriage register entry (or, in the case of a marriage resulting from the conversion of a civil partnership, in their civil partnership register entry); and
- (c) subject to paragraph (4) and regulations 9 and 10, the place at which the qualifying marriage was entered into is to be registered in the Gender Recognition Marriage Register as it was in the parties' marriage register entry (or, in the case of a marriage resulting from the conversion of a civil partnership, in their civil partnership register entry).

(4) If the place required to be registered under paragraph (3)(c) is a place at which, on the date of registration in the Gender Recognition Marriage Register, the parties' marriage could not be solemnized under the law of England and Wales, the marriage is to be registered as if it had been solemnized in the presence of a superintendent registrar in a register office in the form prescribed on the applicable date under section 55(1) of the Marriage Act 1949.

(5) Nothing in this regulation affects the continuity of any qualifying marriage.

Qualifying marriages solemnized according to religious rites

9.—(1) The Registrar General must not register in the Gender Recognition Marriage Register any particulars that would indicate that a qualifying marriage was solemnized according to religious rites or usages, or on religious premises.

(2) Where paragraph (1) applies, the marriage is to be registered in the Gender Recognition Marriage Register as if it had been solemnized in the presence of a superintendent registrar in a register office in the form prescribed on the applicable date under section 55(1) of the Marriage Act 1949.

Qualifying marriages solemnized outside the United Kingdom

10.—(1) Unless paragraph (2) applies, the Registrar General must not register in the Gender Recognition Marriage Register any particulars that would indicate that a qualifying marriage of a

(3) "Condition" means marital or civil partnership status prior to the marriage (or civil partnership), and is registered using forms of words prescribed under section 55(1) of the Marriage Act 1949.

same sex couple, or between a man and a woman (as the case may be) was solemnized outside the United Kingdom according to the law of England and Wales.

(2) Paragraph (1) does not apply if, on the applicable date, the authorities in the country or territory in which the marriage was solemnized had notified the Secretary of State in writing that there is no objection to marriages of same sex couples, or between a man and a woman (as the case may be) taking place in that country or territory, and had not revoked that consent.

(3) Where paragraph (1) applies, the marriage is to be registered in the Gender Recognition Marriage Register as if it had been solemnized in the presence of a superintendent registrar in a register office in the form prescribed on the applicable date under section 55(1) of the Marriage Act 1949.

Power to amend particulars

11.—(1) The Registrar General may, after consulting the parties to a qualifying marriage, amend the particulars required to be registered under these Regulations as the Registrar General considers necessary to ensure that the particulars registered in the Gender Recognition Marriage Register do not disclose that one party has, or both parties have, obtained a gender recognition certificate.

(2) Under paragraph (1), the Registrar General may, in particular, substitute for the name or names of one or both witnesses to the marriage (or, in the case of a marriage resulting from the conversion of a civil partnership, the witnesses to that civil partnership), the name or names of one or two other persons who were present at the marriage (or civil partnership, as the case may be).

Indexing of entries in Gender Recognition Marriage Register

12.—(1) The Registrar General must make arrangements for each entry made in the Gender Recognition Marriage Register to be included in the relevant index kept in the General Register Office.

(2) Any right to search the relevant index includes the right to search entries included in it by virtue of paragraph (1).

(3) Where by virtue of paragraph (1) an index includes entries in the Gender Recognition Marriage Register, the index must not disclose that fact.

(4) “The relevant index” in relation to a person’s entry in the Gender Recognition Marriage Register, means the index of the certified copies of entries in registers, or of entries in registers, which includes the person’s marriage register entry.

Access to certified copies of entries in Gender Recognition Marriage Register

13. Anyone who may have a certified copy of the marriage register entry of a person issued with a full gender recognition certificate may have a certified copy of the entry made in relation to the person in the Gender Recognition Marriage Register.