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STATUTORY INSTRUMENTS

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**2019 No. 1514**

**The Marriage (Same-sex Couples) and Civil Partnership  
(Opposite-sex Couples) (Northern Ireland) Regulations 2019**

**PART 3**

**Civil Partnership: Opposite-sex Couples**

**Extension of civil partnership to opposite-sex couples**

**16.**—(1) The Civil Partnership Act 2004 is amended as follows.

(2) In section 1(1) (definition of civil partnership), in the words before paragraph (a), omit “of the same sex”.

(3) In section 138(1) (conditions for eligibility to register civil partnership in Northern Ireland), omit paragraph (a) (parties must be of the same sex).

**Treatment of opposite-sex overseas relationships as civil partnerships**

**17.**—(1) The Civil Partnership Act 2004 is amended as follows.

(2) In section 212 (meaning of “overseas relationship”)—

(a) in subsection (1)(b) omit sub-paragraph (i) (including the “and”), and

(b) in subsection (1A)(1), after “England and Wales” insert “or to Northern Ireland”.

(3) In section 213 (“specified” overseas relationships)—

(a) in subsection (1), for “by Schedule 20” substitute—

“—

(a) in the case of a relationship registered by two people who under the relevant law are of the same sex when the relationship is registered, by Part 1 of Schedule 20,

(b) in the case of a relationship registered by two people who under the relevant law are not of the same sex when the relationship is registered, by Part 2 of Schedule 20”.

(b) in subsection (3), after “this section” insert “amending Part 1 of Schedule 20”, and

(c) after subsection (3) insert—

“(3A) No order may be made under this section amending Part 2 of Schedule 20 without the consent of the Department of Finance.”.

(4) In section 215(2) (overseas relationships treated as civil partnerships: the general rule)—

(a) in subsection (2), for “subsection (3)” substitute “subsections (3) and (5F)”,

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(1) Section 212(1A) was inserted by paragraph 29(1) and (2) of Schedule 1 to [S.I. 2014/560](#) with UK extent (see article 6).

(2) Section 215, as it extends to England and Wales, was amended (and, in particular, subsections (5A) to (5D) were inserted) by [S.I. 2019/1458](#).

(b) before subsection (6) insert—

“(5E) In the case of a relationship that is—

- (a) an overseas relationship treated as a civil partnership for the purposes of this Act only as a result of the amendments made by the Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, and
- (b) registered (under the relevant law) as having been entered into before 13 January 2020,

subsection (5F) or (as the case may be) subsections (5G) and (5H) apply in place of subsections (3) to (5).

(5F) The time when the two people are treated as having formed a civil partnership is the start of 13 January 2020.

(5G) But if—

- (a) before 13 January 2020, a dissolution or annulment of the relationship was obtained outside the United Kingdom, and
- (b) the dissolution or annulment would be recognised under Chapter 3 if the overseas relationship had been treated as a civil partnership at the time of the dissolution or annulment,

subsection (5F) does not apply and subsections (1) and (2) have effect subject to subsection (5H).

(5H) The overseas relationship is not to be treated as having been a civil partnership for the purposes of any provision except—

- (a) Schedules 7, 11 and 17;
- (b) such provisions as are specified (with or without modifications) in regulations under section 8 of the Northern Ireland (Executive Formation etc) Act 2019;
- (c) Chapter 3 (so far as necessary for the purposes of paragraphs (a) and (b)).”, and

(c) in subsection (6) omit “216.”.

(5) Omit section 216 (the same-sex requirement).

(6) In section 237(2)(b)(ii)(3) (regulation about recognition of dissolution etc where civil partnership not recognised under law of civil partner’s domicile), for “legal relationships between two people of the same sex” substitute “relationships of the sort that the civil partnership in question is (whether generally, between two persons of the same sex, or between two persons of the opposite sex)”.

(7) In Schedule 20—

- (a) the existing text becomes Part 1,
- (b) in that Part—

- (i) in the words before the table, for “213 (meaning of “overseas relationship)” substitute “213(1)(a) (specified relationships between two people of the same sex)”, and
- (ii) in the table, omit columns 1 and 2 of the entry for the relationship of marriage for each of Argentina, Belgium, Brazil, Canada, Denmark, Iceland, Mexico: Mexico City Federal District, Netherlands, Norway, Portugal, South Africa, Spain, Sweden, United States of America: California, United States of America: Connecticut, United States of America: District of Columbia, United States of America: Iowa, United

(3) Section 237(2)(b)(ii), as it extends to England & Wales, was amended by [S.I. 2019/1458](#).

States of America: Massachusetts, United States of America: New Hampshire, United States of America: New York and United States of America: Vermont, and  
(c) after that Part insert as Part 2 the following provision—

## “PART 2

### Opposite-sex relationships

A relationship is specified for the purposes of section 213(1)(b) (specified relationships between two people who are not of the same sex) if it is registered in a country or territory given in the first column of the table and fits the description given in relation to that country or territory in the second column—

<i>Country or territory</i>	<i>Description</i>
Andorra	unió estable de parella
Argentina	unión convivencial
Aruba	geregistreerd partnerschap
Australia: Australian Capital Territory	civil partnership
Australia: New South Wales	a relationship registered under the Relationships Register Act 2010
Australia: Queensland	civil partnership
Australia: South Australia	registered relationship
Australia: Tasmania	significant relationship
Australia: Victoria	registered domestic relationship
Austria	eingetragene Partnerschaft
Belgium	the relationship referred to as cohabitation légale, wettelijke samenwoning or gesetzliches Zusammenwohnen
Bermuda	domestic partnership
Brazil	união estável
Canada: Alberta	adult interdependent partner
Canada: Manitoba	the relationship referred to as common-law relationship or as union de fait
Canada: Nova Scotia	domestic partnership
Canada: Quebec	union civile
Chile	unión civil
Colombia	unión marital de hecho
Cyprus	politiki symviosi
Ecuador	unión de hecho
Estonia	kooselulepingu

<i>Country or territory</i>	<i>Description</i>
Falkland Islands	civil partnership
France	pacte civil de solidarité
Gibraltar	civil partnership
Greece	simfono simviosis
Isle of Man	civil partnership
Israel	civil union
Luxembourg	the relationship referred to as partenariat enregistré or eingetragene Partnerschaft
Malta	civil union
Mexico: Campeche	sociedad civil de Convivencia
Mexico: Coahuila	pacto civil de solidaridad
Mexico: Mexico City Federal District	sociedad de convivencia
Mexico: Michoacán	sociedad de Convivencia
Mexico: Tlaxcala	sociedad de convivencia solidaria
Netherlands	geregistreerd partnerschap
New Zealand	civil union
San Marino	unione civile
South Africa	civil partnership
Spain: Balearic Islands	pareja estable
Spain: Basque Country	pareja de hecho
Spain: Galicia	pareja de hecho
United States of America: California	domestic partnership
United States of America: Colorado	civil union
United States of America: District of Columbia	domestic partnership
United States of America: Hawaii	civil union
United States of America: Illinois	civil union
United States of America: Maine	domestic partnership
United States of America: Nevada	domestic partnership
United States of America: New Jersey	domestic partnership
United States of America: Washington	state registered domestic partnership <sup>7</sup>

**18.** In article 4 of the Civil Partnership (Registration Abroad and Certificates) Order 2005(4) (registration abroad by registration officer), after paragraph (4A) insert—

“(4AA) If the relevant part of the United Kingdom is Northern Ireland, a country or territory is treated by paragraph (4) as having sufficient facilities only if—

(4) [S.I. 2005/2761](#); article 4 was amended by [S.I. 2012/3063](#), and article 4(4A) is inserted by regulation 38 of [S.I. 2019/1458](#).

- (a) in the case of proposed civil partners who are of the same sex under the law of that country or territory, the country or territory is listed in Part 1 of Schedule 20 to the Act (as it forms part of the law of Northern Ireland);
- (b) in the case of proposed civil partners who are of the opposite sex under that law, the country or territory is listed in Part 2 of that Schedule.”.

**19.**—(1) Regulation 3 of the Civil Partnership (Supplementary Provisions relating to the Recognition of Overseas Dissolutions, Annulments or Legal Separations) (England and Wales and Northern Ireland) Regulations 2005(5) is amended as follows.

(2) In the heading, for “between two people of the same sex” substitute “of the sort in question”.

(3) In paragraph (2), in the inserted subsection (1A)(c), for “legal relationships between people of the same sex” substitute “the relevant sort of relationship”.

(4) In paragraph (3), in the inserted subsection (2A)(b), for “legal relationships between people of the same sex” substitute “the relevant sort of relationship”.

(5) After paragraph (3) insert—

“(4) After subsection (3) insert—

“(3A) In this section references to “the relevant sort of relationship” are to the sort of relationship that the civil partnership in question is, and include—

- (a) in the case of a relationship between two persons who are of the same sex under the relevant law, reference to that sort of relationship whether generally or between two persons of the same sex;
- (b) in the case of a relationship between two persons who are of the opposite sex under the relevant law, reference to that sort of relationship whether generally or between two persons of the opposite sex.

(3B) In subsection (3A), “the relevant law” means the law in relation to which the question of recognition arises under subsection (1A)(c) or (as the case may be) (2A)(b).”.”.

### **Prescribed forms relating to civil partnerships**

**20.**—(1) The Civil Partnership Regulations (Northern Ireland) 2005(6) are amended as follows.

(2) In Schedule 1 (form of civil partnership notice)—

- (a) in paragraph 7, for “Disollution” substitute “Dissolution”,
- (b) in paragraph 12, after the boxes for Postcode, insert—

“Contact telephone number

Contact email address”,

- (c) in the heading of Part C, after “father” insert “/parent”,
- (d) in paragraph 16, for “Is he” substitute “Are they”,
- (e) in the heading of Part D, after “mother” insert “/parent”,
- (f) in paragraph 21, for “Is he” substitute “Are they”, and
- (g) in paragraph 25, for “PREVIOUS MARRIAGE” substitute “DIVORCED OR PREVIOUS MARRIAGE ANNULLED”.

(3) In Schedule 2 (civil partnership schedule)—

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(5) [S.I. 2005/3104](#).

(6) [S.R. \(N.I.\) 2005/482](#). Schedule 1 was amended by regulation 2(4) of [S.R. \(N.I.\) 2014/297](#).

- (a) in paragraph 3 omit “Civil Partner” in both places it occurs,
  - (b) in paragraph 9, after “Father’s” insert “/Parent’s”,
  - (c) in paragraph 10, after “Mother’s” insert “/Parent’s”, and
  - (d) in columns 2 and 3 of paragraph 11, omit “Civil Partner’s”.
- (4) In Schedule 5 (form of consent), in footnote (b), after “Mother” insert “, Parent”.
- (5) In Schedule 8 (form of certified copy of register entry)—
- (a) in paragraph 3 omit “Civil Partner” in both places it occurs,
  - (b) in paragraph 9, after “Father’s” insert “/Parent’s”,
  - (c) in paragraph 10, after “Mother’s” insert “/Parent’s”, and
  - (d) in columns 2 and 3 of paragraph 11, omit “Civil Partner’s”.
- (6) In Schedule 9 (form of certified copy of register entry)—
- (a) in paragraph 3 omit “Civil Partner” in both places it occurs,
  - (b) in paragraph 9, after “Father’s” insert “/Parent’s”,
  - (c) in paragraph 10, after “Mother’s” insert “/Parent’s”, and
  - (d) in columns 2 and 3 of paragraph 11, omit “Civil Partner’s”.
- (7) In Schedule 10 (form of certified copy of register entry), in paragraph 3 omit “Civil Partner” in both places it occurs.