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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**

**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)”,
- (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,

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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](#).

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 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—

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

## “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
Falkland Islands	civil partnership
France	pacte civil de solidarité
Gibraltar	civil partnership

**Changes to legislation:** There are currently no known outstanding effects for the The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019, Section 17. (See end of Document for details)

<i>Country or territory</i>	<i>Description</i>
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”

#### **Commencement Information**

**II** Reg. 17 in force at 13.1.2020, see [reg. 1\(2\)](#)

**Changes to legislation:**

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