
STATUTORY INSTRUMENTS

2020 No. 1143

**The Marriage and Civil Partnership
(Northern Ireland) (No. 2) Regulations 2020**

PART 2

Right to convert Civil Partnership or Marriage, and effect of conversion

Right to convert

3.—(1) The parties to a convertible Northern Ireland civil partnership may—

- (a) in accordance with Part 3, or
- (b) in accordance with Part 3 or 4 of the 2014 Regulations,

convert their civil partnership into a marriage.

(2) Paragraph (1) applies only where the parties to the civil partnership are of the same sex when the conversion takes place.

(3) The parties to a convertible Northern Ireland marriage may—

- (a) in accordance with Part 3, or
- (b) in accordance with Part 4 or 5,

convert their marriage into a civil partnership.

(4) Paragraph (3) applies only where the parties to the marriage are not of the same sex when the conversion takes place.

Effect of conversion of marriage or civil partnership

4.—(1) Where a convertible Northern Ireland civil partnership is converted into a marriage under Part 3 of these Regulations or under Part 3 or 4 of the 2014 Regulations—

- (a) the civil partnership ends on the conversion, and
- (b) the resulting marriage is to be treated as having subsisted since the date the civil partnership was formed.

(2) Where a convertible Northern Ireland marriage is converted into a civil partnership under Part 3, 4 or 5 of these Regulations—

- (a) the marriage ends on the conversion, and
- (b) the resulting civil partnership is to be treated as having subsisted since the date the marriage was solemnised.

(3) Paragraph (2)(b) applies even if the date is earlier than 5th December 2005 (which is the date when the Civil Partnership Act 2004 came into force for most substantive purposes).

(4) But paragraphs (1)(b) and (2)(b) are subject to any contrary provision made by these Regulations (or future applicable legislation), including contrary provision contained in amendments of existing applicable legislation.

(5) Paragraph (2)(b)—

- (a) does not affect the descent of any peerage or dignity or title of honour, and
- (b) does not affect the devolution of any property limited (expressly or not) by any will or other instrument to devolve (as nearly as the law permits) along with any peerage or dignity or title of honour unless an intention it should do so is expressed in the will or other instrument.

(6) In this regulation—

“applicable legislation” means—

- (a) an Act of Parliament so far as it forms part of the law of Northern Ireland,
- (b) Northern Ireland legislation,
- (c) subordinate legislation made under an Act of Parliament, so far as the subordinate legislation forms part of the law of Northern Ireland, and
- (d) subordinate legislation made under Northern Ireland legislation;

“existing applicable legislation” means applicable legislation passed or made before these Regulations are made;

“subordinate legislation” means any Order in Council, order or warrant (other than an order made or a warrant issued by a court), scheme, rule, regulation, bye-law or other instrument.