
STATUTORY INSTRUMENTS

2020 No. 1143

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

PART 4

Conversion at Consulates abroad of Marriage into Civil Partnership

Interpretation of Part 4

19. In this Part—

“conversion declaration” has the meaning given by regulation 23;

“registration officer” means—

- (a) a consular officer in the service of Her Majesty’s government in the United Kingdom, or
- (b) in the case of a conversion under this Part in a country or territory in which Her Majesty’s government in the United Kingdom has for the time being no consular representative, a person authorised by the Secretary of State in respect of the solemnization of marriages in that country or territory;

“United Kingdom national” means a person who is—

- (a) a British citizen, a British overseas territories citizen, a British overseas citizen or a British National (Overseas),
- (b) a British subject under the British Nationality Act 1981(1), or
- (c) a British protected person, within the meaning of that Act.

Countries or territories in which consular conversions may take place

20. A registration officer may facilitate the conversion pursuant to regulation 3(3)(b) of a convertible Northern Ireland marriage, 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.

Conversion

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

- (a) the parties have completed the procedure mentioned in regulation 22,
- (b) at the invitation of the registration officer and in the presence of the registration officer and each other, each of the parties has signed the conversion declaration, and

(1) 1981 c. 61. See, in particular, Part 4 (British subjects) and section 38 (British protected persons). In Part 4, section 31 was amended by the British Overseas Territories Act 2002 (c. 8), and section 33 ceased to have effect, and was repealed, by the Nationality, Immigration and Asylum Act 2002 (c. 41).

- (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 23(d) to each other in the presence of the registration officer.
- (4) A conversion under this Part of a convertible Northern Ireland marriage 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 these Regulations come into force.

Conversion procedure

22. Before the parties to a convertible Northern Ireland marriage can convert their marriage into a civil partnership 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 document issued under Article 35(3)(b) of the Marriage (Northern Ireland) Order 2003 relating to the registration of their marriage, 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.

Conversion declaration

23. In this Part “the conversion declaration”, in relation to a conversion under this Part, means a document containing—

- (a) the following details for 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 solemnisation of the marriage;
- (c) a statement by each party to the effect that the party has had, for the period of 28 days ending on the day the conversion declaration is signed, their usual residence within the consular district of the registration officer;
- (d) a declaration by each party in the following terms: “I solemnly and sincerely declare that we are married to each other and I know of no legal reason why we may not convert our marriage into a civil partnership. I understand that on signing this document we will be converting our marriage into a civil partnership and you will thereby become my lawful civil partner”; and
- (e) a declaration by each party that the party believes all the information and evidence given for the purposes of the conversion declaration is true.

Duty to register conversions

24. Where a registration officer signs a conversion declaration in accordance with regulation 21(1)(c), the details included pursuant to regulation 23(a) and (b) must be registered by

the registration officer in the register maintained for the consular district under regulation 33 of the 2014 Regulations.

Power to dispense with requirements

25.—(1) If the Secretary of State is satisfied that there are good reasons why the requirement as to residence in regulation 23(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.

(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 the 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.