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STATUTORY INSTRUMENTS

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**2020 No. 1143**

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

**PART 7**

**Amendments of Legislation**

**Social Security Contributions and Benefits Act 1992**

**38.**—(1) The Social Security Contributions and Benefits Act 1992<sup>(1)</sup> is amended as follows.

(2) In section 48(5) as inserted by paragraphs 29 and 30 of Schedule 7 to the Marriage (Same Sex Couples) Act 2013 (civil partnerships that are to be treated as not coming to an end when converted into a marriage), after “2013” insert “or Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 or Part 3 or 4 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014”.

(3) In section 48(5) as inserted by paragraph 2(1) and (7) of Schedule 4 to the Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014 (civil partnerships that are to be treated as not coming to an end when converted into a marriage), in paragraph (a), after “2013” insert “or Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 or Part 3 or 4 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014”.

(4) In section 48, at the end insert—

“(6) For the purposes of this section, a marriage is not to be treated as having terminated by reason of its having been converted into a civil partnership under Part 3, 4 or 5 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020.”.

(5) In section 48A, after subsection (6) insert—

“(6A) For the purposes of subsection (5)(b), a person is not to be treated as having ceased to be in a civil partnership by reason of its having been converted into a marriage under—

- (a) Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020, or
- (b) Part 3 or 4 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 where the civil partnership is a convertible Northern Ireland civil partnership as defined by regulation 2 of those Regulations.

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(1) <sup>1992 c. 4.</sup> A version of section 48(5) was inserted by paragraphs 29 and 30 of Schedule 7 to the Marriage (Same Sex Couples) Act 2013 (<sup>c. 30</sup>) and, by virtue of section 20(7)(a) of that Act, extended to England and Wales only. A further version of section 48(5) was inserted by paragraph 2(7) of Schedule 4 to <sup>S.I. 2014/3229</sup> (“the 2014 Order”). Under article 3 of the 2014 Order, the version of section 48(5) inserted by the 2014 Order extended to England and Wales, and Scotland. However, that version did not purport to replace the version inserted by the 2013 Act. And although the 2014 Order purported to repeal paragraphs 29 and 30 of Schedule 7 to the 2013 Act, under article 3 of the 2014 Order that repeal extended only to Scotland, even though those paragraphs extended only to England and Wales. Other amendments were made to section 48 by Schedule 24 to the Civil Partnership Act 2004 and Schedule 12 to the Pensions Act 2014. Section 48A was substituted by the Pensions Act 1995 and further substituted by the Pensions Act 2014.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(6B) For the purposes of subsection (5)(b), a person is not to be treated as having ceased to be married by reason of the person's marriage having been converted into a civil partnership under Part 3, 4 or 5 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020.”.