
STATUTORY INSTRUMENTS

2014 No. 3169 (C. 140)

MARRIAGE

**The Marriage (Same Sex Couples) Act
2013 (Commencement No. 4) Order 2014**

Made - - - - 27th November 2014

The Secretary of State, in exercise of the powers conferred by section 21(3) of the Marriage (Same Sex Couples) Act 2013⁽¹⁾, makes the following Order:

Citation

1. This Order may be cited as the Marriage (Same Sex Couples) Act 2013 (Commencement No. 4) Order 2014.

Provisions coming into force on 10th December 2014

2. The Marriage (Same Sex Couples) Act 2013, so far as not already in force, comes into force on 10th December 2014 except for—

- (a) paragraph 5 of Schedule 2, and section 10(3) so far as it relates to that paragraph, and
- (b) paragraph 17 of Schedule 4 so far as it relates to a person (“A”) who is married to a person of the same sex in a relevant gender change case where A is the spouse to whom a full gender recognition certificate has been issued, and section 11(4) so far as it relates (to that extent) to that paragraph.

Nicky Morgan
Secretary of State for Education, Minister for
Women and Equalities
Department for Education

27th November 2014

Status: This is the original version (as it was originally made).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

EXPLANATORY NOTE

(This note is not part of the Order)

This is the fourth Commencement Order made in relation to the Marriage (Same Sex Couples) Act 2013 (c. 30) (“the Act”). The Marriage (Same Sex Couples) Act 2013 (Commencement No. 1) Order 2013 (S.I. 2013/2789) (C. 110) brought into force a number of provisions of the Act for the purpose of making subordinate legislation, as well as certain other provisions. The Marriage (Same Sex Couples) Act 2013 (Commencement No. 2 and Transitional Provision) Order 2014 (S.I. 2014/93) (C. 3) brought into force the majority of the provisions of the Act extending marriage to same sex couples under the law of England and Wales.

The Marriage (Same Sex Couples) Act 2013 (Commencement No. 3) Order 2014 (S.I. 2014/1662) (C. 70) brought into force, for the purpose of making subordinate legislation, provisions enabling civil partners to convert their civil partnership into marriage and enabling a couple to remain married where one or both members of the couple change legal gender where both members wish to remain married. This Order brings into force provisions of the Act which relate to these subject matters, and which (apart from two cases mentioned below) are the remaining provisions of the Act which have not been commenced.

This Order therefore brings into force all remaining uncommenced provisions of the Act with two exceptions. First, it does not commence an amendment to Civil Partnership Act 2004 (c. 33) which is redundant. Secondly, it commences, in part, paragraph 17 of Schedule 4 to the Act, which makes an amendment to provisions in the Equality Act 2010 (c. 15) dealing with benefits in occupational pension schemes for those couples who married as an opposite sex couple and who remain married after one spouse obtains a gender recognition certificate. The partial commencement is to ensure that there is consistency between those provisions, and equivalent provisions in the Pension Schemes Act 1993 (c. 48) as amended by paragraphs 18 to 25 of Schedule 4 to the Act and which relate to contracted-out benefits in occupational pension schemes.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1 to 3	13th March 2014	2014/93
Section 4 (partially)	31st October 2013	2013/2789
Section 4 (so far as not already in force)	13th March 2014	2014/93
Section 5	13th March 2014	2014/93
Section 6 (partially)	21st January 2014	2014/93
Section 6 (so far as not already in force)	3rd June 2014	2014/93
Sections 7 and 8	13th March 2014	2014/93
Section 9(1) to (5) and (7) (partially)	30th June 2014	2014/1662
Section 10(1) and (2)	13th March 2014	2014/93
Section 10(3) (partially)	31st October 2013	2013/2789

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 10(3) (partially)	13th March 2014	2014/93
Section 11(1) to (3)	13th March 2014	2014/93
Section 11(4) (partially)	31st October 2013	2013/2789
Section 11(4) (partially)	13th March 2014	2014/93
Section 11(4) (partially)	30th June 2014	2014/1662
Section 11(5) to (7)	13th March 2014	2014/93
Section 12 (partially)	30th June 2014	2014/1662
Section 13(1) (partially)	21st January 2014	2014/93
Section 13 (so far as not already in force)	3rd June 2014	2014/93
Section 14	31st October 2013	2013/2789
Section 17(1) to (3)	31st October 2013	2013/2789
Section 17(4) (partially)	13th March 2014	2014/93
Section 17(4) (partially)	3rd June 2014	2014/93
Sections 18 to 20	31st October 2013	2013/2789
Schedule 1 (partially)	31st October 2013	2013/2789
Schedule 1 (so far as not already in force)	13th March 2014	2014/93
Schedule 2, paragraph 1	31st October 2013	2013/2789
Schedule 2, paragraph 2(1)	13th March 2014	2014/93
Schedule 2, paragraph 2(2)	31st October 2013	2013/2789
Schedule 2, paragraphs 3 and 4	13th March 2014	2014/93
Schedule 3	13th March 2014	2014/93
Schedule 4, paragraphs 1 to 4	13th March 2014	2014/93
Schedule 4, paragraph 5 (partially)	31st October 2013	2013/2789
Schedule 4, paragraph 5 (so far as not already in force)	13th March 2014	2014/93
Schedule 4, paragraphs 6 and 7	13th March 2014	2014/93
Schedule 4, paragraph 8 (partially)	31st October 2013	2013/2789
Schedule 4, paragraph 8 (so far as not already in force)	13th March 2014	2014/93
Schedule 4, paragraphs 9 and 10	13th March 2014	2014/93
Schedule 4, paragraphs 11 to 13 (partially)	13th March 2014	2014/93
Schedule 4, paragraph 14 (partially)	31st October 2013	2013/2789
Schedule 4, paragraph 14 (partially)	13th March 2014	2014/93
Schedule 4, paragraph 17 (partially)	13th March 2014	2014/93
Schedule 4, paragraph 18 (partially)	13th March 2014	2014/93

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 4, paragraph 18 (partially)	30th June 2014	2014/1662
Schedule 4, paragraph 19	13th March 2014	2014/93
Schedule 4, paragraphs 20 to 22 (partially)	13th March 2014	2014/93
Schedule 4, paragraph 23	30th June 2014	2014/1662
Schedule 4, paragraphs 24 to 26	13th March 2014	2014/93
Schedule 4, paragraph 27(1) and (2)	13th March 2014	2014/93
Schedule 4, paragraph 27(3) and (4)	31st October 2013	2013/2789
Schedule 5, paragraphs 1, 9 and 19 (partially)	30th June 2014	2014/1662
Schedule 6, paragraphs 1, 2, 4, 6 to 10, and 12 to 15 (partially)	21st January 2014	2014/93
Schedule 6 (so far as not already in force)	3rd June 2014	2014/93
Schedule 7, paragraphs 1 to 20	13th March 2014	2014/93
Schedule 7, paragraph 21	3rd June 2014	2014/93
Schedule 7, paragraphs 22 to 28, 31 to 33, and 35 to 45	13th March 2014	2014/93