



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## PART 1 **S**

### MARRIAGE

#### CHAPTER 1 **S**

##### SAME SEX MARRIAGE

#### **5 Same sex marriage: further provision **S****

(1) For the avoidance of doubt, the rule of law which provides for a marriage to be voidable by reason of impotence has effect only in relation to a marriage between persons of different sexes.

(2) In section 1 of the Divorce (Scotland) Act 1976 (grounds of divorce), after subsection (3) insert—

“(3A) For the avoidance of doubt, in relation to marriage between persons of the same sex, adultery has the same meaning as it has in relation to marriage between persons of different sexes.”.

#### **Commencement Information**

**II** [S. 5](#) in force at 16.12.2014 by [S.S.I. 2014/287](#), art. 3, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 5.