

Changes to legislation: There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Cross Heading: Evidence. (See end of Document for details)

SCHEDULE 2 CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

PART 1

APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

Evidence

- 3 In section 3 (evidence), before subsection (7) insert—
- “(6D) If the applicant is a party to a protected Scottish marriage, an application under section 1(1) must also include—
- (a) a statutory declaration by the applicant that the applicant wishes the marriage to continue after the issue of a full gender recognition certificate (if that is the case), and
 - (b) either—
 - (i) a statutory declaration by the applicant's spouse that the spouse consents to the marriage continuing after the issue of a full gender recognition certificate (“a statutory declaration of consent”) (if the spouse has made such a declaration), or
 - (ii) a statutory declaration by the applicant that no such declaration by the applicant's spouse is included.
- (6E) If an application includes a statutory declaration of consent by the applicant's spouse under subsection (6D)(b)(i), the Gender Recognition Panel must give the spouse notice that the application has been made.
- (6F) If the applicant is a party to a protected Scottish civil partnership, an application under section 1(1) must also include a statutory declaration as to where the civil partnership was registered and, if the civil partnership was registered outside the United Kingdom, that details of the civil partnership have been sent to the Registrar General for Scotland.”.

Commencement Information

II Sch. 2 para. 3 in force at 16.12.2014 by S.S.I. 2014/287, art. 3, Sch.

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