



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 4

#### CIVIL PARTNERSHIP: NORTHERN IRELAND

### CHAPTER 1

#### REGISTRATION

##### *Preliminaries to registration*

#### **[<sup>F1</sup>139E. Referral of proposed civil partnership to the Secretary of State**

- (1) On every occasion when a civil partnership notice is given under section 139, a registrar must decide whether or not each of the parties to the proposed civil partnership is an exempt person.
- (2) In making a decision under subsection (1) about a party to a proposed civil partnership, a registrar may rely on any advice given in relation to that decision by the Secretary of State.
- (3) In a case where—
  - (a) section 139A applies to the civil partnership notice, and
  - (b) specified evidence required by section 139B(1) or (2) in relation to a party to the proposed civil partnership is not produced in accordance with that section,the registrar must decide that that party to the proposed civil partnership is not an exempt person.
- (4) If the registrar decides that either of the parties is not an exempt person, or that both of the parties are not exempt persons, the registrar must—
  - (a) refer the proposed civil partnership to the Secretary of State;
  - (b) notify the parties to the proposed civil partnership that the proposed civil partnership must be referred to the Secretary of State;

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**Status:** Point in time view as at 27/09/2017.

**Changes to legislation:** Civil Partnership Act 2004, Section 139E is up to date with all changes known to be in force on or before 30 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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- (c) give the parties to the proposed civil partnership prescribed information about—
  - (i) the effects of the referral;
  - (ii) the requirement under regulations to notify the Secretary of State of changes of address.
- (5) The registrar must act in accordance with regulations when complying with the duty in subsection (4)(a) to refer a proposed civil partnership to the Secretary of State.
- (6) If the registrar refers the proposed civil partnership to the Secretary of State, this Act has effect in relation to the proposed civil partnership subject to the modifications in Schedule 13A.
- (7) In this section—
  - (a) a reference to a person being an exempt person has the same meaning as in section 49 of the 2014 Act;
  - (b) “prescribed information” means information prescribed in regulations;
  - (c) “regulations” means regulations made by the Secretary of State under section 54(2) of, and Schedule 5 to, the 2014 Act.]

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#### Textual Amendments

- F1** Ss. 139A-139E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), [Sch. 3 para. 2](#) (with art. 1(3))

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