



# Marriage (Same Sex Couples) Act 2013

## 2013 CHAPTER 30

### PART 1

#### MARRIAGE OF SAME SEX COUPLES IN ENGLAND AND WALES

##### *Other provisions relating to marriages of same sex couples*

#### **9 Conversion of civil partnership into marriage**

- (1) The parties to an England and Wales civil partnership may convert their civil partnership into a marriage under a procedure established by regulations made by the Secretary of State.
- (2) The parties to a civil partnership within subsection (3) may convert their civil partnership into a marriage under a procedure established by regulations made by the Secretary of State.
- (3) A civil partnership is within this subsection if—
  - (a) it was formed outside the United Kingdom under an Order in Council made under Chapter 1 of Part 5 of the Civil Partnership Act 2004 (registration at British consulates etc or by armed forces personnel), and
  - (b) the part of the United Kingdom that was relevant for the purposes of section 210(2)(b) or (as the case may be) section 211(2)(b) of that Act was England and Wales.
- (4) Regulations under this section may in particular make—
  - (a) provision about the making by the parties to a civil partnership of an application to convert their civil partnership into a marriage;
  - (b) provision about the information to be provided in support of an application to convert;
  - (c) provision about the making of declarations in support of an application to convert;
  - (d) provision for persons who have made an application to convert to appear before any person or attend at any place;

---

*Status: This is the original version (as it was originally enacted).*

---

- (e) provision conferring functions in connection with applications to convert on relevant officials, relevant armed forces personnel, the Secretary of State, or any other persons;
  - (f) provision for fees, of such amounts as are specified in or determined in accordance with the regulations, to be payable in respect of—
    - (i) the making of an application to convert;
    - (ii) the exercise of any function conferred by virtue of paragraph (e).
- (5) Functions conferred by virtue of paragraph (e) of subsection (4) may include functions relating to—
- (a) the recording of information on the conversion of civil partnerships;
  - (b) the issuing of certified copies of any information recorded;
  - (c) the conducting of services or ceremonies (other than religious services or ceremonies) following the conversion of a civil partnership.
- (6) Where a civil partnership is converted into a marriage under this section—
- (a) the civil partnership ends on the conversion, and
  - (b) the resulting marriage is to be treated as having subsisted since the date the civil partnership was formed.
- (7) In this section—
- “England and Wales civil partnership” means a civil partnership which is formed by two people registering as civil partners of each other in England or Wales (see Part 2 of the Civil Partnership Act 2004);
- “relevant armed forces personnel” means—
- (a) a member of Her Majesty’s forces;
  - (b) a civilian subject to service discipline (within the meaning of the Armed Forces Act 2006);
- and for this purpose “Her Majesty’s forces” has the same meaning as in the Armed Forces Act 2006;
- “relevant official” means—
- (a) the Registrar General;
  - (b) a superintendent registrar;
  - (c) a registrar;
  - (d) a consular officer in the service of Her Majesty’s government in the United Kingdom;
  - (e) a person authorised by the Secretary of State in respect of the solemnization of marriages or formation of civil partnerships in a country or territory in which Her Majesty’s government in the United Kingdom has for the time being no consular representative.