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## STATUTORY INSTRUMENTS

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# 2014 No. 3181

## The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014

### PART 4

#### Armed Forces Conversions

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#### Modifications etc. (not altering text)

- C1** Pt. 4 (except reg. 40) extended (Northern Ireland) (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(1)**

#### Interpretation of this Part

**35.** In this Part of these Regulations—

- (a) a reference to a country or territory includes a reference to the waters of a country or territory;
- (b) a reference to Her Majesty's forces serving in a country or territory includes a reference to such forces serving in a ship in the waters of a country or territory;
- (c) A reference to a relevant civilian employed in a country or territory includes a reference to such a civilian employed in a ship in the waters of a country or territory.

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#### Commencement Information

- II** Reg. 35 in force at 10.12.2014, see [reg. 1](#)

#### Countries or territories in which armed forces conversions may take place

**36.—(1)** An authorised person may facilitate the conversion of a civil partnership in those countries or territories outside the United Kingdom which have notified the Secretary of State in writing that there is no objection to such conversions taking place in that country or territory and which have not subsequently revoked that notice, where at least one of the parties to the civil partnership is—

- (a) a member of Her Majesty's forces serving in the country or territory in which it is proposed they convert their civil partnership;
- (b) a relevant civilian who is employed in that country or territory; or
- (c) a child of a person falling within sub-paragraph (a) or (b), and whose home is with that person in that country or territory.

(2) In a case where one person ("P") treats, or has treated, another person ("C"), as a child of the family in relation to—

- (a) a marriage to which P is or was a party; or
- (b) a civil partnership to which P is or was a party;

C is to be regarded for the purposes of paragraph (1)(c) as the child of P.

#### Commencement Information

**I2** Reg. 36 in force at 10.12.2014, see [reg. 1](#)

### Conversion

**37.**—(1) The parties to a civil partnership are to be regarded as having converted their civil partnership into a marriage under this Part when—

- (a) the parties have completed the procedure mentioned in regulation 38;
- (b) at the invitation of the authorised person and in the presence of the authorised person and of each other, each of the parties has signed the conversion declaration; and
- (c) the authorised person has also signed the conversion declaration in the presence of the parties.

(2) As well as signing the conversion declaration, the parties may, if they wish, say the words of the declaration in regulation 39(c) to each other in the presence of the authorised person.

[<sup>F1</sup>(3) A conversion under this Part of a convertible Northern Ireland civil partnership is effective only if the signing of the conversion declaration as mentioned in paragraph (1)(b) and (c) takes place before the end of the 3 years beginning with the day the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020 come into force.]

**F1** Reg. 37(3) inserted (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(7)**

#### Commencement Information

**I3** Reg. 37 in force at 10.12.2014, see [reg. 1](#)

### Conversion procedure

**38.** Before the parties to a civil partnership can convert their civil partnership into a marriage under this Part, they must—

- (a) attend together in person before the authorised person;
- (b) give the authorised person the details required to complete the conversion declaration;
- (c) provide a certified copy of the entry in the civil partnership register made on the formation of their civil partnership [<sup>F2</sup>or, if the conversion is of a convertible Northern Ireland civil partnership, a document issued under section 155(3)(b) of the Civil Partnership Act 2004 relating to the registration of their civil partnership];
- (d) provide such evidence as may be required by the authorised person to satisfy the authorised person of the details provided in the conversion declaration.

**F2** Words in [reg. 38\(c\)](#) inserted (7.12.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) \(No. 2\) Regulations 2020 \(S.I. 2020/1143\)](#), regs. 1(2), **31(8)**

#### Commencement Information

**I4** Reg. 38 in force at 10.12.2014, see [reg. 1](#)

#### Conversion declaration

**39.** In this Part of these Regulations, the “conversion declaration” means a document containing—

- (a) the following details pertaining to each of the parties—
  - (i) forenames;
  - (ii) surname;
  - (iii) nationality;
  - (iv) date of birth;
  - (v) sex;
  - (vi) address;
  - (vii) in respect of each of the parties to the civil partnership who falls within one of the descriptions in regulation 36(1)—
    - (aa) where that person is a member of Her Majesty’s forces serving in the country or territory in which the conversion is proposed to take place, the name and location of the unit in which that person is serving;
    - (bb) where that person is a relevant civilian employed in that country or territory, the name and location of the post where that person is employed;
    - (cc) where the person falls within the description in regulation 36(1)(c) (but does not fall within either sub-paragraph (a) or (b) of regulation 36(1)), the information referred to in sub-paragraph (aa) or (bb) (as the case may be) about each of that person’s parents who falls within the description in regulation 36(1)(a) or (b).
- (b) the date and place of the formation of the civil partnership;
- (c) a declaration in the following terms: “I solemnly and sincerely declare that we are in a civil partnership with each other and I know of no legal reason why we may not convert our civil partnership into a marriage. I understand that on signing this document we will be converting our civil partnership into a marriage and you will thereby become my lawful wife [*or husband*]”; and
- (d) a declaration that the party believes all of the information and evidence given for the purposes of the conversion declaration is true.

#### Commencement Information

**I5** Reg. 39 in force at 10.12.2014, see [reg. 1](#)

#### Conversion followed by religious ceremony

**40.** Where a conversion under this Part is immediately to be followed by a ceremony under section 46 of the 1949 Act<sup>(1)</sup>, the certificate of the parties’ marriage to be produced under section 46(1) is the signed conversion declaration.

(1) [1949 c. 76](#); section 46 was amended by section 17(4) of, and paragraph 13 of Schedule 7 to, the Marriage (Same Sex Couples) Act 2013.

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**Changes to legislation:** There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014, PART 4. (See end of Document for details)

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**Commencement Information**

**I6** Reg. 40 in force at 10.12.2014, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014, PART 4.