
STATUTORY INSTRUMENTS

2020 No. 1143

**The Marriage and Civil Partnership
(Northern Ireland) (No. 2) Regulations 2020**

PART 5

Conversion abroad of Marriage into Civil Partnership: Armed Forces

Interpretation of Part 5

26. In this Part—

- (a) “authorised person”, in relation to a conversion under this Part in a country or territory outside the United Kingdom, means a person authorised by the commanding officer of any of Her Majesty’s forces in that country or territory to conduct that conversion or conversions under this Part generally, but a chaplain serving in any of Her Majesty’s forces cannot be an authorised person for the purposes of this Part;
- (b) “conversion declaration” has the meaning given by regulation 30;
- (c) “Her Majesty’s forces” do not include any force of a country, other than the United Kingdom, that is a member of the Commonwealth;
- (d) “relevant civilian” means a civilian subject to service discipline (within the meaning of the Armed Forces Act 2006(1)) who performs in support of Her Majesty’s forces any of the following functions: administrative, executive, judicial, clerical, typing, duplicating, machine operating, paper keeping, managerial, professional, scientific, experimental, technical, industrial or labouring functions;
- (e) a reference to a country or territory includes (except in paragraph (c)) a reference to the waters of a country or territory;
- (f) 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;
- (g) 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.

Countries and territories in which conversions under this Part may take place

27.—(1) An authorised person may facilitate the conversion pursuant to regulation 3(3)(b) of a convertible Northern Ireland marriage 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 marriage—

- (a) is a member of Her Majesty’s forces serving in the country or territory in which it is proposed they convert their marriage,

- (b) is a relevant civilian employed in that country or territory, or
- (c) is 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.

Conversion

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

- (a) the parties have completed the procedure mentioned in regulation 29,
- (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) No religious service is to be used at a conversion under this Part.

(3) As well as signing the conversion declaration, the parties may, if they wish, say the words of the declaration in regulation 30(d) to each other in the presence of the authorised person.

(4) A conversion under this Part of a convertible Northern Ireland marriage 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 these Regulations come into force.

Conversion procedure

29. Before the parties to a convertible Northern Ireland marriage can convert their marriage into a civil partnership 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 document issued under Article 35(3)(b) of the Marriage (Northern Ireland) Order 2003 relating to the registration of their marriage, and
- (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.

Conversion declaration

30. In this Part “the conversion declaration”, in relation to a conversion under this Part, means a document containing—

- (a) the following details for each of the parties—
 - (i) forenames;
 - (ii) surname;
 - (iii) nationality;
 - (iv) date of birth;
 - (v) sex;

- (vi) address;
- (b) in respect of each of the parties who falls within one of the descriptions in regulation 27(1)—
 - (i) 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;
 - (ii) 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;
 - (iii) where that person falls within the description in regulation 27(1)(c) (but does not fall within either sub-paragraph (a) or (b) of regulation 27(1)), the information referred to in sub-paragraph (i) or (ii) (as the case may be) about each of that person’s parents who falls within the description in regulation 27(1)(a) or (b);
- (c) the date and place of the solemnisation of the marriage;
- (d) a declaration by each party in the following terms: “I solemnly and sincerely declare that we are married to each other and I know of no legal reason why we may not convert our marriage into a civil partnership. I understand that on signing this document we will be converting our marriage into a civil partnership and you will thereby become my lawful civil partner”; and
- (e) a declaration by each party that the party believes all the information and evidence given for the purposes of the conversion declaration is true.