

SCHEDULE 1

CONSEQUENTIAL MODIFICATIONS TO PRIMARY LEGISLATION

Equality Act 2010

3.—(1) The Equality Act 2010⁽¹⁾ is amended as follows.

(2) In section 110 (liability of employees and agents)—

(a) after subsection (5C)⁽²⁾, insert—

“(5CA) A does not contravene this section by refusing to solemnise a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the opposite sex who are in a civil partnership with each other.”,

(b) in subsection (5D), for “the civil partnership is between two persons of the same sex” substitute “A does not wish to register civil partnerships generally, or those between two persons of the same sex, or those between two persons of the opposite sex”,

(c) in subsection (5E), after “(5C)” insert “, (5CA)”.

(3) In Schedule 3 the heading of Part 6B (Marriage of same sex couples and civil partnership: Scotland)⁽³⁾ becomes “CIVIL PARTNERSHIP, MARRIAGE OF SAME SEX COUPLES AND MARRIAGE OF CIVIL PARTNERS: SCOTLAND”.

(4) In paragraph 25B of Schedule 3 (marriage of same sex couples and civil partnership: Scotland)⁽⁴⁾—

(a) after sub-paragraph (1), insert—

“(1A) An approved celebrant does not contravene section 29 only by refusing to solemnise a relevant Scottish marriage for the reason that the marriage is the marriage of two persons of the opposite sex who are in a civil partnership with each other.”,

(b) in sub-paragraph (2), for “the civil partnership is between two persons of the same sex” substitute “the approved celebrant does not wish to register civil partnerships generally, or those between two persons of the same sex, or those between two persons of the opposite sex”,

(c) after sub-paragraph (3), insert—

“(3A) A person does not contravene section 29 only by refusing to participate in a religious or belief ceremony forming part of, or connected with, the solemnising of a relevant Scottish marriage for the reason that the marriage is a marriage of two persons of the opposite sex who are in a civil partnership with each other.”,

(d) in sub-paragraph (4), for “the civil partnership is between two persons of the same sex” substitute “the person does not wish to participate in such ceremonies in relation to civil partnerships generally, or those between two persons of the same sex, or those between two persons of the opposite sex”,

(e) in sub-paragraph (6) in the definition of “relevant Scottish marriage” omit “of two persons of the same sex”,

(f) the heading of the paragraph becomes “*Marriage and civil partnership: Scotland*”.

(5) In paragraph 2 of Schedule 23 (organisations relating to religion or belief)—

(1) 2010 c. 15.

(2) Subsections (5C) to (5H) were inserted by paragraph 19(4) of Schedule 5 to [S.I. 2014/3229](#).

(3) Part 6B was inserted by paragraph 19(5)(c) of Schedule 5 to [S.I. 2014/3229](#).

(4) Paragraphs 25B and 25C were added by paragraph 19(5)(c) of Schedule 5 to [S.I. 2014/3229](#).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in sub-paragraph (9A)(5)—
 - (i) after paragraph (a) insert—
 - “(aa) to solemnise a relevant Scottish marriage for the reason that the marriage is a marriage of two persons of the opposite sex who are in a civil partnership with each other;”,
 - (ii) in paragraph (b), after “same sex” insert “or that it is between two persons of the opposite sex”,
- (b) in sub-paragraph (9B)—
 - (i) after paragraph (a), insert—
 - “(aa) to solemnise a relevant Scottish marriage for the reason that the marriage is a marriage of two persons of the opposite sex who are in a civil partnership with each other;”,
 - (ii) in paragraph (b), after “same sex” insert “or that it is between two persons of the opposite sex”,
- (c) in sub-paragraph (9C), after “(1)” insert “, (1A)”.

(5) Sub-paragraphs (9A) to (9D) were inserted by paragraph 19(6) of Schedule 5 to [S.I. 2014/3229](#).