

STATUTORY RULES OF NORTHERN IRELAND

2005 No. 532

CIVIL PARTNERSHIP

**The Civil Partnership Act 2004 (Amendments to
Subordinate Legislation) (No. 2) Order
(Northern Ireland) 2005**

Made - - - - - *30th November 2005*

Coming into operation *5th December 2005*

The Department of Finance and Personnel, in exercise of the powers conferred on it by section 259 of the Civil Partnership Act 2004(a) and of all other powers enabling it in that behalf, hereby makes the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Civil Partnership Act 2004 (Amendments to Subordinate Legislation) (No. 2) Order (Northern Ireland) 2005 and shall come into operation on 5th December 2005.

(2) The Interpretation Act (Northern Ireland) 1954(b) shall apply to this Order as it applies to an Act of the Assembly.

Amendments to subordinate legislation

2. The Schedule (which contains amendments to miscellaneous subordinate legislation) shall have effect.

Sealed with the Official Seal of the Department of Finance and Personnel on 30th November 2005.

(L.S.)

Ethne E. Harkness

A senior officer of the Department of Finance and Personnel

(a) 2004 c.33.

(b) 1954 c. 33 (N.I.).

AMENDMENTS TO MISCELLANEOUS SUBORDINATE LEGISLATION

PART 1

Registration (Births, Still-Births and Deaths) Regulations (Northern Ireland) 1973(a)

1.—(1) In regulation 2(1) (Interpretation), after the definition of “short birth certificate” insert—

““status” means marital or civil partnership status”.

(2) In Form 3 of Schedule 1 (PARTICULARS FOR REGISTRATION OF A DEATH) at paragraph 6 in the list of particulars to be registered, for “Marital status” substitute “Status”.

The Adopted Persons (Birth Records) Regulations (Northern Ireland) 1995(b)

2.—(1) In regulation 3 (Application for verification in connection with intended marriage)—

(a) after “marry” insert “or with whom he intends to form a civil partnership”; and

(b) after “1984” insert “or Schedule 12 to the Civil Partnership Act 2004(c)”.

(2) For Schedule 3 (Form of application for verification of any relationship in connection with marriage (Article 54 of the Adoption (Northern Ireland) Order 1987)) substitute the Schedule set out in Part 2 of this Schedule.

The Marriage Regulations (Northern Ireland) 2003(d)

3.—(1) In regulation 2 (Interpretation), after the definition of “place approval” insert—

““status” means marital or civil partnership status;”.

(2) In regulation 5(c) (Marriage Notice Book), for “marital status” substitute “status”.

(3) For Schedule 1 (MARRIAGE NOTICE NORTHERN IRELAND, Article 3 of the Marriage (Northern Ireland) Order 2003) substitute the Schedule set out in Part 3 of this Schedule.

(4) In Schedule 2 (MARRIAGE SCHEDULE, Article 7 of the Marriage (Northern Ireland) Order 2003), at paragraph 5 for “Marital Status” substitute “Status”.

(5) In Schedule 3 (CERTIFICATE IN RESPECT OF LEGAL CAPACITY TO MARRY, Marriage (Northern Ireland) Order 2003), for “Marital status” substitute “Status” where it occurs.

(6) For Schedule 7 (MARRIAGE NOTICE NORTHERN IRELAND, Articles 3 & 21 (2nd Marriage) of the Marriage (Northern Ireland) Order 2003) substitute the Schedule set out in Part 4 of this Schedule.

(7) In Schedule 8 (MARRIAGE SCHEDULE, Articles 7 & 21 (2nd Marriage) of the Marriage (Northern Ireland) Order 2003), at paragraph 5 for “Marital Status” substitute “Status”.

(8) In Schedule 13 (REGISTRATION OF MARRIAGE IN NORTHERN IRELAND, CERTIFIED COPY OF AN ENTRY IN MARRIAGE REGISTRATION RECORDS, Marriage (Northern Ireland) Order 2003), at paragraph 5 for “Marital Status” substitute “Status”.

(9) In Schedule 14 (REGISTRATION OF MARRIAGE IN NORTHERN IRELAND, CERTIFIED COPY OF AN ENTRY IN MARRIAGE REGISTRATION RECORDS, Marriage (Northern Ireland) Order 2003), at paragraph 5 for “Marital Status” substitute “Status”.

(a) S.R. 1973 No. 373, to which there are amendments not relevant to this Order.

(b) S.R. 1995 No. 484.

(c) 2004 c. 33.

(d) S.R. 2003 No. 468.

(10) In Schedule 15 (EXTRACT FROM MARRIAGE REGISTRATION RECORDS, Marriage (Northern Ireland) Order 2003), at paragraph 5 for “Marital Status” substitute “Status”.

PART 2

“SCHEDULE 3

Regulation 3

Form of application for verification of any relationship in connection with Marriage or Civil Partnership

(Article 54 of the Adoption (Northern Ireland) Order 1987)

1. I hereby apply to be informed whether or not it appears from the records of the Registrar General that I and the person I intend to marry or with whom I intend to form a civil partnership may be within the prohibited degrees of relationship for the purpose of Article 18(1) of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 or Schedule 12 to the Civil Partnership Act 2004.

2. I give below details of myself and the person I intend to marry or with whom I intend to form a civil partnership—

Myself

My Fiancé(e)/Intended Civil Partner

Name and surname

Name and surname

Date of birth

Date of birth

Country of birth.....

Place of birth

Adoptive Father’s name

Father’s name

Adoptive Mother’s name

Mother’s name and maiden

Date of Adoption.....

surname

Signature.....

Address.....

Date

.....

.....

.....

Postcode ”

PART 3

“SCHEDULE 1

Regulation 3

MARRIAGE NOTICE NORTHERN IRELAND

Article 3 of the Marriage (Northern Ireland) Order 2003

Must be served on the Registrar at least 14 days before the date of the intended marriage.

A About the intended marriage

			Day	Month	Year
1. Date of Marriage	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
2. Place of Marriage					

This space for Registrar's use only
 Marriage Notice Reference

 Date Documents returned

B About yourself

3. Current Forename(s) Previous Name(s)
 Current Surname(s) and Surname
 Maiden Name

4. Present or last occupation

5. Retired (*tick box*) Yes No 6. Sex (*tick box*) Male Female

7. Status (<i>tick box</i>) Single <input type="checkbox"/> Widowed <input type="checkbox"/> Divorced/ Marriage Annulled <input type="checkbox"/> Civil Partnership Dissolution/Annulment <input type="checkbox"/> Surviving Civil Partner <input type="checkbox"/>	8. Date of Birth Day <input type="text"/> Month <input type="text"/> Year <input type="text"/>
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9. Place of birth 10. Country of residence 11. Nationality

12. Usual residence Postcode

C About your father

13. (a) Current Forename(s)
 (b) Current Surname(s)
 (c) Previous Name(s)/Surname(s)

14. Present or last occupation

15. Retired (*tick box*) Yes No 16. Is he still living (*tick box*) Yes No

D About your mother

17. (a) Current Forename(s)
 (b) Current Surname(s)
 (c) Previous Name(s)/Surname(s)

18. Maiden Surname

19. Present or last occupation

20. Retired (*tick box*) Yes No 21. Is she still living (*tick box*) Yes No

E About the Officiant (complete this part if you intend to have a religious marriage)

22. Name and religious denomination of the Officiant Name
 Denomination
 Signature

23. Signature of that person to indicate that (s) he is willing to act as Officiate

F About the other party to the intended marriage

24. Forename(s) in full.....
 Surname(s)

25. Usual residence and Postcode

G Documents to be submitted by you with this notice

26. FOR ALL PERSONS
 Is your birth certificate enclosed (*tick box*) Yes No
If you are unable to produce your birth certificate, state the reason here

27. IF PREVIOUS MARRIAGE OR PREVIOUS CIVIL PARTNERSHIP TERMINATED
 Is your decree of divorce/annulment or order of civil partnership dissolution/annulment enclosed (*tick box*) Yes No
The Registrar will require proof of the termination of the earlier marriage/civil partnership. If you are unable to produce the official decree of divorce/annulment or order of civil partnership dissolution/annulment, state the reason for not doing so as this will affect whether or not the ceremony can proceed.

28. IF YOUR PREVIOUS SPOUSE OR CIVIL PARTNER IS DECEASED
 Is the death certificate of your former spouse/civil partner enclosed (*tick box*) Yes No
The Registrar will require proof of the death. If you are unable to produce a death certificate of your previous spouse/civil partner, state the reason for not doing so.

29. NATIONALITY
 Have you enclosed your passport or other document(s) to prove your nationality? (*tick box*) Yes No
If for any reason you are unable to enclose documentation to prove nationality please state the reason. If you are a United Kingdom Citizen, who does not have a passport, your birth certificate may be sufficient.

H

30. DECLARATION

I solemnly declare:

- (i) that I am the person named at B3;
- (ii) that I and the person named at Part F intend to be married on the date entered in Part A and by the officiant named at Part E;
- (iii) that there is no impediment caused by being within the prohibited degrees of relationship, affinity or adoption and that I know of no other legal impediment to our marriage;
- (iv) that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
- (v) that each document submitted by me in accordance with Part G of this notice is genuine.

Signed:

Date:

Note: A person who supplies false information to a Registrar or uses, gives or sends any certificate, document or declaration required for the purposes of this marriage notice which is false or has been forged in any way is liable to prosecution.”

PART 4

“SCHEDULE 7

Regulation 10

MARRIAGE NOTICE NORTHERN IRELAND

Articles 3 and 21 (2nd Marriage) of the Marriage (Northern Ireland) Order 2003

Must be served on the Registrar at least 14 days before the date of the intended marriage.

A About the intended marriage

1. Date of Marriage	Day <input type="text"/>	Month <input type="text"/>	Year <input type="text"/>	This space for Registrar's use only Married Notice Reference Date Documents returned
2. Place of Marriage				

B About yourself

3. Current Forename(s) Previous Name(s)
Current Surname(s) Surname.....
Maiden Name

4. Present or last occupation

5. Retired (*tick box*) Yes No 6. Sex (*tick box*) Male Female

7. Status Previously went through a marriage ceremony
At on

8. Date of Birth Day Month Year

9. Place of birth 10. Country of residence 11. Nationality

12. Usual residence Postcode

C About your father

13. (a) Current Forename(s)
(b) Current Surname(s)
(c) Previous Name(s)/Surname(s)

14. Present or last occupation

15. Retired (*tick box*) Yes No 16. Is he still living (*tick box*) Yes No

D About your mother

17. (a) Current Forename(s)
(b) Current Surname(s)
(c) Previous Name(s)/Surname(s)

18. Maiden Surname

19. Present or last occupation

20. Retired (*tick box*) Yes No 21. Is she still living (*tick box*) Yes No

E About the other party to the intended marriage

22. Forename(s) in full.....
Surname(s)

23. Usual residence and Postcode

F Documents to be submitted by you with this notice

<p>24. FOR ALL PERSONS</p> <p>Is your birth certificate enclosed (<i>tick box</i>)</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p><i>If you are unable to produce your birth certificate, state the reason here</i></p>
<p>25. IF PREVIOUS MARRIAGE OR PREVIOUS CIVIL PARTNERSHIP TERMINATED</p> <p>Is your decree of divorce, annulment or order of civil partnership dissolution/annulment enclosed (<i>tick box</i>)</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p><i>The Registrar will require proof of the termination of the earlier marriage/civil partnership. If you are unable to produce the official decree of divorce/annulment or order of civil partnership dissolution/annulment, state the reason for not doing so as this will affect whether or not the ceremony can proceed.</i></p>
<p>26. IF YOUR PREVIOUS SPOUSE OR CIVIL PARTNER IS DECEASED</p> <p>Is the death certificate of your former spouse/civil partner enclosed (<i>tick box</i>)</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p><i>The Registrar will require proof of the death. If you are unable to produce a death certificate of your previous spouse/civil partner, state the reason for not doing so.</i></p>
<p>27. NATIONALITY</p> <p>Have you enclosed your passport or other document(s) to prove your nationality? (<i>tick box</i>)</p> <p style="text-align: center;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </p>	<p><i>If for any reason you are unable to enclose documentation to prove nationality please state the reason. If you are a United Kingdom Citizen, who does not have a passport, your birth certificate may be sufficient.</i></p>
<p>28. STATUTORY DECLARATION BY BOTH PARTIES</p> <p>(1) Stating they have previously gone through a marriage ceremony with each other. (2) Specifying the date and place at which and the circumstances in which they went through the marriage.</p>	

G

29. DECLARATION

I solemnly declare:

- (i) that I am the person named at B3;
- (ii) that I and the person named at Part E intend to be married on the date entered in Part A;
- (iii) that there is no impediment caused by being within the prohibited degrees of relationship, affinity or adoption and that I know of no other legal impediment to our marriage;
- (iv) that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
- (v) that each document submitted by me in accordance with Part F of this notice is genuine.

Signed:

Date:

Note: A person who supplies false information to a Registrar or uses, gives or sends any certificate, document or declaration required for the purposes of this marriage notice which is false or has been forged in any way is liable to prosecution.”

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes minor amendments to subordinate legislation relating to civil registration records.

Part 1 of the Schedule contains amendments to the Registration (Births, Still-Births and Deaths) Regulations (Northern Ireland) 1973 (S.R. 1973 No. 373), the Adopted Persons (Birth Records) Regulations (Northern Ireland) 1995 (S.R. 1995 No. 484) and the Marriage Regulations (Northern Ireland) 2003 (S.R. 2003 No. 468).

Parts 2 to 4 of the Schedule insert substitute Forms in the Adopted Persons (Birth Records) Regulations (Northern Ireland) 1995 and the Marriage Regulations (Northern Ireland) 2003.

A regulatory impact assessment has not been prepared for this Order, as it has no impact on the costs of business, charities, voluntary bodies or any public bodies distinct from that of the Act itself. A full regulatory impact assessment for civil partnership was published alongside the Act and can be viewed at <http://www.dti.gov.uk/access/ria/index.htm#equality>.

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