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SCOTTISH STATUTORY INSTRUMENTS

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**2014 No. 218 (C. 19)**

**CIVIL PARTNERSHIP**

**GENDER RECOGNITION**

**MARRIAGE**

**The Marriage and Civil Partnership (Scotland) Act 2014  
(Commencement No. 2 and Saving Provisions) Amendment  
Order 2014**

*Made* - - - - - *7th August 2014*

*Laid before the Scottish Parliament* *11th August 2014*

*Coming into force* - - - *1st September 2014*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 36(2) and (3) of the Marriage and Civil Partnership (Scotland) Act 2014<sup>(a)</sup> and all other powers enabling them to do so.

**Citation and commencement**

**1.** This Order may be cited as the Marriage and Civil Partnership (Scotland) Act 2014 (Commencement No. 2 and Saving Provisions) Amendment Order 2014 and comes into force on 1st September 2014.

**Amendment of the Commencement No. 2 and Saving Provisions Order**

**2.—(1)** The Marriage and Civil Partnership (Scotland) Act 2014 (Commencement No. 2 and Saving Provisions) Order 2014<sup>(b)</sup> is amended as follows.

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(a) 2014 asp 5.  
(b) S.S.I. 2014/212.

- (2) In article 3(2)(a) (saving), after “commence” insert “on”.
- (3) For the Schedule substitute the Schedule in the Schedule to this Order.

St Andrew’s House,  
Edinburgh  
7th August 2014

*ALEX NEIL*  
A member of the Scottish Government

## SCHEDULE

Article 2

## “SCHEDULE

Article 2

<i>Column 1</i> <i>Provision</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 4(8) to (10)	Meaning of marriage and related expressions in enactments and documents	
Section 6	Jurisdiction in proceedings relating to same sex marriages	For the purpose of bringing into force the provisions of schedule 1 to the 2014 Act referred to in column 1.
Section 9	Power to modify meaning of “qualifying civil partnership”	
Section 10	Change of qualifying civil partnership into marriage	
Section 11(5) and (6)	Effect of marriage between civil partners in a qualifying civil partnership	
Section 12(1)	Persons who may solemnise marriage, and qualifying requirements	For the purpose of bringing into force the other provisions of section 12 of the 2014 Act referred to in column 1.
Section 12(2)(a) and (b)	Persons who may solemnise marriage, and qualifying requirements	For the purpose of making regulations under section 8(1)(a)(ii), (1B)(a)(i) and (1E) of the 1977 Act.
Section 13(1)	Registration of nominated persons as celebrants, and qualifying requirements	For the purpose of bringing into force the other provision of section 13 of the 2014 Act referred to in column 1.
Section 13(2)(e)	Registration of nominated persons as celebrants, and qualifying requirements	For the purpose of making regulations under section 9(2A) of the 1977 Act.
Section 14(1)	Qualifying requirements for temporary authorisation of celebrants	For the purpose of bringing into force the other provision of section 14 of the 2014 Act referred to in column 1.
Section 14(2)	Qualifying requirements for temporary authorisation of celebrants	For the purpose of making regulations under section 12(1D) of the 1977 Act.
Section 17	Power of district registrar to require evidence of nationality: marriage	
Section 18(2)(a)	The Marriage Schedule	
Section 21	Places at which civil marriages may be solemnised	

<i>Column 1</i> <i>Provision</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 24(1)	Registration of civil partnership, and qualifying requirements	For the purpose of bringing into force the other provisions of section 24 of the 2014 Act referred to in column 1.
Section 24(13)	Registration of civil partnership, and qualifying requirements	For the purpose of making regulations under section 94A(1)(a)(i) and (5), section 94B(3) and section 94E(4) of the 2004 Act.
Section 24(15)	Registration of civil partnership	For the purpose of prescribing forms of notice referred to in section 95ZA(1) and (2) of the 2004 Act.
Section 25	Power of district registrar to require evidence of nationality: civil partnership	
Section 28	Bigamy	
Section 29	Change of gender of married persons or civil partners	For the purpose of bringing into force the provisions of schedule 2 to the 2014 Act referred to in column 1.
Section 30	Renewed marriage or civil partnership following issue of full gender recognition certificate	
Section 33	Form of register of marriages	
Paragraph 1(1) of schedule 1	Jurisdiction in relation to same sex marriages	For the purpose of bringing into force the other provision of schedule 1 to the 2014 Act referred to in column 1.
Paragraph 1(4) of schedule 1	Jurisdiction in relation to same sex marriages	For the purpose of making regulations under paragraph 2 of Schedule 1B to the Domicile and Matrimonial Proceedings Act 1973(a).
Paragraph 1 of schedule 2	Introductory	For the purpose of bringing into force the other provisions of schedule 2 to the 2014 Act referred to in column 1.
Paragraph 7 of schedule 2	Applications for change of gender by civil partners	For the purpose of making an order under section 5D of the GRA 2004.
Paragraph 9(2)(b) of schedule 2	Marriage and civil partnership registration following gender recognition	For the purposes of making regulations under paragraph 20A(1) of Schedule 3 to the GRA 2004.

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(a) 1973 c.45.

<i>Column 1</i> <i>Provision</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Paragraph 15 of schedule 2	Alternative grounds for granting applications for gender recognition	For the purpose of making an order under section 3C(5)(b)(ii) of the GRA 2004.
Paragraph 17 of schedule 2	Evidence for granting applications on alternative grounds	For the purpose of making an order under section 3D(6)(b) of the GRA 2004.”

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends errors in the saving provisions in, and Schedule to, the Marriage and Civil Partnership (Scotland) Act 2014 (Commencement No. 2 and Saving Provisions) Order 2014.

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