

Status: Point in time view as at 21/07/2005. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Civil Partnership Act 2004, Cross Heading: Registration procedure: general is up to date with all changes known to be in force on or before 06 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Civil Partnership Act 2004

2004 CHAPTER 33

PART 2

CIVIL PARTNERSHIP: ENGLAND AND WALES

CHAPTER 1

REGISTRATION

Registration procedure: general

VALID FROM 05/12/2005

5 Types of pre-registration procedure

- (1) Two people may register as civil partners of each other under—
 - (a) the standard procedure;
 - (b) the procedure for house-bound persons;
 - (c) the procedure for detained persons;
 - (d) the special procedure (which is for cases where a person is seriously ill and not expected to recover).
- (2) The procedures referred to in subsection (1)(a) to (c) are subject to—
 - (a) section 20 (modified procedures for certain non-residents);
 - (b) Schedule 3 (former spouses one of whom has changed sex).
- (3) The procedures referred to in subsection (1) (including the procedures as modified by section 20 and Schedule 3) are subject to—
 - (a) Part 2 of Schedule 1 (provisions applicable in connection with prohibited degrees of relationship), and

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- (b) Parts 2 and 3 of Schedule 2 (provisions applicable where proposed civil partner is under 18).
- (4) This section is also subject to section 249 and Schedule 23 (immigration control and formation of civil partnerships).

6 Place of registration

- (1) The place at which two people may register as civil partners of each other—
 - (a) must be in England or Wales,
 - (b) must not be in religious premises, and
 - (c) must be specified in the notices, or notice, of proposed civil partnership required by this Chapter.
- (2) “Religious premises” means premises which—
 - (a) are used solely or mainly for religious purposes, or
 - (b) have been so used and have not subsequently been used solely or mainly for other purposes.
- (3) In the case of registration under the standard procedure (including that procedure modified as mentioned in section 5), the place—
 - (a) must be one which is open to any person wishing to attend the registration, and
 - (b) before being specified in a notice of proposed civil partnership, must be agreed with the registration authority in whose area that place is located.
- (4) If the place specified in a notice is not so agreed, the notice is void.
- (5) A registration authority may provide a place in its area for the registration of civil partnerships.

[^{F1}6A Power to approve premises

- (1) The Chancellor of the Exchequer may by regulations make provision for and in connection with the approval by registration authorities of premises for the purposes of section 6(3A)(a).
- (2) The matters dealt with by regulations may include—
 - (a) the kind of premises in respect of which approvals may be granted;
 - (b) the procedure to be followed in relation to applications for approval;
 - (c) the considerations to be taken into account by a registration authority in determining whether to approve any premises;
 - (d) the duration and renewal of approvals;
 - (e) the conditions that must or may be imposed by a registration authority on granting or renewing an approval;
 - (f) the determination and charging by registration authorities of fees in respect of applications for the approval of premises and in respect of the renewal of approvals;
 - (g) the circumstances in which a registration authority must or may revoke an approval;

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- (h) the review of any decision to refuse an approval or the renewal of an approval, to impose conditions on granting or renewing an approval or to revoke an approval;
 - (i) the notification to the Registrar General of all approvals granted, renewed or revoked;
 - (j) the keeping by registration authorities of registers of approved premises;
 - (k) the issue by the Registrar General of guidance supplementing the provision made by the regulations.
- (3) Without prejudice to the width of subsection (2)(e), the Chancellor of the Exchequer must exercise his power to provide for the imposition of conditions as mentioned there so as to secure that members of the public are permitted to attend when two people sign the civil partnership schedule on approved premises in accordance with section 6(3A) (a).]

Textual Amendments

- F1** S. 6A inserted (21.7.2005) by The Civil Partnership (Amendments to Registration Provisions) Order 2005 (S.I. 2005/2000), arts. 1(c), 3, **Sch. para. 3**

VALID FROM 05/12/2005

7 The civil partnership document

- (1) In this Part “the civil partnership document” means—
- (a) in relation to the special procedure, a Registrar General’s licence, and
 - (b) in relation to any other procedure, a civil partnership schedule.
- (2) Before two people are entitled to register as civil partners of each other—
- (a) the civil partnership document must be delivered to the civil partnership registrar, and
 - (b) the civil partnership registrar may then ask them for any information required (under section 2(4)) to be recorded in the register.

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