



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 2 U.K.

#### CIVIL PARTNERSHIP: ENGLAND AND WALES

### CHAPTER 1 U.K.

#### REGISTRATION

##### *The standard procedure*

## 8 Notice of proposed civil partnership and declaration E+W

[<sup>F1</sup>(1) For two people to register as civil partners of each other under the standard procedure a notice of proposed civil partnership must be given—

- (a) if the proposed civil partners have resided in the area of the same registration authority for the period of 7 days immediately before the giving of the notice, by each of them to that registration authority;
- (b) if the proposed civil partners have not resided in the area of the same registration authority for that period, by each of them to the registration authority in whose area he or she has resided for that period.]

(2) A notice of proposed civil partnership must contain such information as may be prescribed by regulations.

(3) A notice of proposed civil partnership must also include the necessary declaration, made and signed by the person giving the notice—

- (a) at the time when the notice is given, and
- (b) in the presence of an authorised person;

and the authorised person must attest the declaration by adding his name, description and place of residence.

(4) The necessary declaration is a solemn declaration in writing—

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- (a) that the proposed civil partner believes that there is no impediment of kindred or affinity or other lawful hindrance to the formation of the civil partnership;
- [<sup>F2</sup>(b) that the proposed civil partners have for the period of 7 days immediately before the giving of the notice had their usual places of residence in the area of the registration authority, or in the areas of the registration authorities, to which notice is given.]
- [<sup>F3</sup>(c) that the proposed civil partner believes all of the information stated in the notice, and all information and evidence supplied with the notice, is true.]
- (5) Where a notice of proposed civil partnership is given to a registration authority in accordance with this section, the registration authority must ensure that the following information is recorded in the register as soon as possible—
- (a) the fact that the notice has been given and the information in it;
- (b) the fact that the authorised person has attested the declaration.
- [<sup>F4</sup>(5A) Subsection (5) is subject to section 9F.]
- (6) “Authorised person” means an employee or officer or other person provided by a registration authority who is authorised by that authority to attest notices of proposed civil partnership.
- (7) For the purposes of this Chapter, a notice of proposed civil partnership is recorded when subsection (5) is complied with.

#### Textual Amendments

- F1** S. 8(1) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 4(2)** (subject to art. 1(3))
- F2** S. 8(4)(b) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 4(3)** (subject to art. 1(3))
- F3** S. 8(4)(c) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 19(2)** (with Sch. 9 para. 66); S.I. 2015/371, art. 2(1)(f)
- F4** S. 8(5A) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 19(3)** (with Sch. 9 para. 66); S.I. 2015/371, art. 2(1)(f)

#### Commencement Information

- I1** S. 8 partly in force; s. 8 not in force at Royal Assent see s. 263; s. 8(2) in force for certain purposes at 15.4.2005 by [S.I. 2005/1112](#), **art. 2**, **Sch. 1** and otherwise 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), **art. 2(1)**, **Sch. 1**; s. 8(3) - (7) in force at 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), **art. 2(1)**, **Sch. 1**; s. 8(1) never in force;

#### [<sup>F5</sup>8A Additional information if party not relevant national **E+W**

- (1) This section applies to notice of proposed civil partnership given to a registration authority in accordance with section 8 if one, or each, of the parties to the proposed civil partnership is not a relevant national.
- (2) But this section does not apply if Schedule 3 applies to the proposed civil partnership.
- (3) For each party to the proposed civil partnership who is not a relevant national, the notice must include whichever of statements A, B or C is applicable to that person.
- (4) Statement A is a statement that the person has the appropriate immigration status.

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- (5) Statement B is a statement that the person holds a relevant visa in respect of the proposed civil partnership.
- (6) Statement C is a statement that the person neither—
- (a) has the appropriate immigration status, nor
  - (b) holds a relevant visa in respect of the proposed civil partnership.
- (7) If the notice contains the statement referred to in the first column of an entry in this table, the notice must be accompanied by the information and photographs referred to in the second column of that entry (insofar as that entry is applicable to the parties to the proposed civil partnership)—

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| <b><i>If the notice includes this statement...</i></b>                                   | <b><i>...the notice must be accompanied by...</i></b>   |
|--|---|
| Statement A (in respect of one or both of the parties to the proposed civil partnership) | For each party in respect of whom statement A is made, details of the particular immigration status which that party has  |
| Statement B (in respect of one or both of the parties to the proposed civil partnership) | <ul style="list-style-type: none"><li>(1) For each party, a specified photograph of that party</li><li>(2) For each party in respect of whom statement B is made, details of the relevant visa which that party has</li></ul>   |
| Statement C (in respect of one or both of the parties to the proposed civil partnership) | <ul style="list-style-type: none"><li>(1) For each party, a specified photograph of that party</li><li>(2) For each party, the usual address of that party</li><li>(3) For each party whose usual address is outside the United Kingdom, an address in the United Kingdom at which that party can be contacted by post</li><li>(4) For each party who has previously used any name or names other than the person's name stated in the notice of proposed civil partnership in accordance with regulations under section 8(2), a statement of the other name or names</li><li>(5) For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases</li></ul> |

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- (8) If the notice contains more than one of statements A, B and C, subsection (7) must be complied with in relation to each of those statements; but where the notice contains statements B and C, subsection (7) does not require the notice to be accompanied by more than one specified photograph of each party.

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- (9) If the notice includes statement C for a party to the proposed civil partnership—
- (a) the notice may be accompanied by a statement (“statement D”) of that person's immigration position in the United Kingdom;
  - (b) if the notice is accompanied by statement D for a party to the proposed civil partnership, the person may provide the registration authority with details of his or her immigration position in the United Kingdom; and
  - (c) if any such details are provided, the registration authority must record them.
- (10) In this section—
- (a) a reference—
    - (i) to a person having the appropriate immigration status, or
    - (ii) to a person holding a relevant visa,
 has the same meaning as in section 49 of the Immigration Act 2014;
  - (b) a reference to the particular immigration status which a person has is a reference to the immigration status set out in any of paragraphs (a) to (c) of section 49(2) of that Act which the person has;
  - (c) a reference to a person's immigration position in the United Kingdom includes a reference to the person's not being entitled to be in the United Kingdom.
- (11) In this section “specified photograph” means a photograph that is in accordance with regulations made under section 9E (and for this purpose “photograph” includes other kinds of images).]

#### Textual Amendments

**F5** S. 8A inserted (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 20](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

#### [<sup>F6</sup>9 Evidence **E+W**

- (1) A notice of proposed civil partnership under section 8 must, in relation to each of the parties to the civil partnership, be accompanied by specified evidence of the following matters—
- (a) the person's name and surname;
  - (b) the person's date of birth;
  - (c) the person's place of residence;
  - (d) the person's nationality.
- [ If a party to the proposed civil partnership is a relevant national within the meaning <sup>F7</sup>(1A) of section 30A(ab) the notice of proposed civil partnership under section 8 must also be accompanied—
- (a) where the party falls within section 30A(ab)(i), by an electronic certificate which confirms that the leave referred to in that provision has been granted; or
  - (b) where the party falls within section 30A(ab)(ii)—
    - (i) by a certificate of application which confirms that the application referred to in regulation 4 of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020 has been made; and

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- (ii) by evidence that the relevant period referred to in regulation 4 of those Regulations has not expired.]
- (2) A person giving a notice of proposed civil partnership under section 8 must provide the registration authority to which the notice is given with specified evidence—
- (a) as to whether the person has previously formed a civil partnership or been married; and
- (b) if so, as to the ending of the civil partnership or marriage.
- (3) In this section “specified evidence” means evidence that is in accordance with regulations made under section 9E.

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)
- F7** [S. 9\(1A\)](#) inserted (1.7.2021) by [The Immigration and Social Security Co-ordination \(EU Withdrawal\) Act 2020 \(Consequential, Saving, Transitional and Transitory Provisions\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1309\)](#), regs. 1(2)(c), [16\(2\)](#)

## 9A Additional evidence if party not relevant national **E+W**

- (1) This section applies to notice of proposed civil partnership given to a registration authority in accordance with section 8 if one, or each, of the parties to the proposed civil partnership is not a relevant national.
- (2) If the notice includes statement A (referred to in section 8A(4)), and accordingly is accompanied by details of the particular immigration status which a party to the proposed civil partnership has, the notice must be accompanied by specified evidence of that status.
- (3) If the notice includes statement B (referred to in section 8A(5)), the notice must be accompanied by specified evidence of the holding of the relevant visa by the party to the proposed civil partnership.
- (4) If, in accordance with section 8A(7), the notice is accompanied by the usual address of a party to the proposed civil partnership, the notice must also be accompanied by specified evidence that it is that party's usual address.
- (5) If the notice includes statement D (referred to in section 8A(9)), the notice may be accompanied by evidence of the person's immigration position in the United Kingdom.
- (6) If subsection (2) or (3) applies to the notice, and the notice is not accompanied by the specified evidence required by that subsection, the notice must be accompanied by—
- (a) photographs and addresses of the kinds referred to in paragraphs 1 and 2 in the relevant entry in section 8A(7);
- (b) as respects the usual address of each party that is provided in accordance with paragraph (a), specified evidence that the address provided is that party's usual address; and
- (c) addresses, names and aliases of the kinds referred to in paragraphs 3 to 5 in the relevant entry in section 8A(7) (insofar as those paragraphs are applicable to the parties to the proposed civil partnership).

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(7) In this section—

“relevant entry in section 8A(7)” means the second column of the last entry in the table in section 8A(7);

“specified evidence” means evidence that is in accordance with regulations made under section 9E.

#### Textual Amendments

**F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

### 9B Change of usual address or UK contact address **E+W**

(1) The Secretary of State may, by regulations, make provision about the giving to the Secretary of State of—

- (a) notice of a person's usual address, if the person's notified usual address changes;
- (b) notice of a UK contact address, if the person's notified usual address is not in the United Kingdom;
- (c) notice of a person's UK contact address, if the person's notified UK contact address changes;
- (d) evidence of any address notified in accordance with regulations under paragraph (a), (b) or (c).

(2) The provision that may be made in regulations under this section includes—

- (a) provision imposing a requirement on a person;
- (b) provision about the rejection of information or evidence which there are reasonable grounds to suspect to be false.

(3) Regulations under subsection (1)(d) may, in particular, make any provision of the kind that may be made under section 9E(3).

(4) In this section—

“notified UK contact address” means an address in the United Kingdom, at which a person can be contacted by post, that has been notified in accordance with—

- (a) section 8A(7) or 9A(6), or
- (b) regulations under this section;

“notified usual address” means the usual address of a person that has been notified in accordance with—

- (a) section 8A(7) or 9A(6), or
- (b) regulations under this section.

#### Textual Amendments

**F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

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## 9C Rejection of false information or evidence **E+W**

- (1) A registration authority may reject—
  - (a) any information or photograph provided under section 8, 8A or 9A, or
  - (b) any evidence provided under section 9 or 9A,if (in particular) the registration authority has reasonable grounds for suspecting that the information, photograph or evidence is false.
- (2) If the registration authority rejects any information, photograph or evidence, the registration authority may proceed under this Act as if the rejected information, photograph or evidence had not been provided.
- (3) This section does not limit the powers of registration authorities to reject anything provided under any other enactment.

### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

## 9D Amendment of notice and evidence provisions **E+W**

- (1) The Secretary of State may by order—
  - (a) amend section 8A or 9A so as to vary the information that must or may be given in cases where that section applies;
  - (b) amend section 9 or 9A so as to vary the matters in respect of which specified evidence must or may be given in cases where that section applies;
  - (c) make such provision (including provision amending section 9B or 9E or any other enactment) as the Secretary of State considers appropriate in consequence of provision made under paragraph (a) or (b).
- (2) The Secretary of State must consult the Registrar General before making an order under this section.

### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

## 9E Specified evidence **E+W**

- (1) The Registrar General may make regulations about the evidence that is required to be given for the purposes of section 9.
- (2) The Secretary of State may make regulations about the evidence that is required to be given for the purposes of section 9A.
- (3) Regulations under this section may, in particular, make provision about—
  - (a) the kind of evidence which is to be supplied;



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- (b) the form in which evidence is to be supplied;
  - (c) the manner in which evidence is to be supplied;
  - (d) the period within which evidence is to be supplied;
  - (e) the supply of further evidence;
  - (f) the sufficiency of evidence supplied;
  - (g) the consequences of failing to supply sufficient evidence in accordance with the regulations (including provision to secure that, in such a case, a particular decision is made or is to be treated as having been made);
  - (h) the retention or copying of evidence supplied.
- (4) In this section “evidence” includes a photograph or other image.
- (5) The Registrar General must obtain the approval of the Secretary of State before making regulations under this section.
- (6) The Secretary of State must consult the Registrar General before making regulations under this section.

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)

#### 9F Recording of information in the register: compliance with requirements **E+W**

The registration authority must not enter in the register the information relating to a proposed civil partnership mentioned in section 8(5) in a case where any of the requirements imposed by or under any of the following provisions of this Act is applicable but is not complied with—

- section 8A(3) to (7);
- section 8A(8);
- section 9(1);
- section 9A(4) or (6);
- section 18(3);
- section 19(3);
- paragraph 5(1) of Schedule 1;
- paragraph 4 of Schedule 23.

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)



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## 10 Proposed civil partnership to be publicised **E+W**

- (1) Where a notice of proposed civil partnership has been given to a registration authority, [<sup>F8</sup>the registration authority must keep the relevant information on public display during the waiting period.]
- (2) “The relevant information” means—
- the name of the person giving the notice,
  - the name of that person’s proposed civil partner, and
  - such other information [<sup>F9</sup>included in the notice of proposed civil partnership] as may be prescribed by regulations.

[ All information that a registration authority is required for the time being to keep on <sup>F10</sup>(3) public display under subsection (1) must be kept on display by it at one register office provided for a district within its area.]

### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F8** Words in s. 10(1) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 6(2)** (subject to art. 1(3))
- F9** Words in s. 10(2)(c) inserted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 6(3)** (subject to art. 1(3))
- F10** S. 10(3) inserted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, **Sch. para. 6(4)** (subject to art. 1(3))

### Commencement Information

- I2** S. 10 wholly in force at 5.12.2005; s. 10 not in force at Royal Assent see s. 263; s. 10(2)(c) in force at 15.4.2005 for certain purposes by S.I. 2005/1112, **art. 2**, **Sch. 1**; s. 10 in force at 5.12.2005 insofar as not already in force by S.I. 2005/3175, **art. 2(1)**, **Sch. 1**

## 11 Meaning of “the waiting period” **E+W**

In this Chapter “the waiting period”, in relation to a notice of proposed civil partnership, means the period—

- beginning the day after the notice is recorded, and
- subject to section 12, ending at the end of the period of [<sup>F11</sup>28] days beginning with that day.

### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F11** Word in s. 11 substituted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 22** (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)

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## 12 Power to shorten the waiting period E+W

- (1) If the Registrar General, on an application being made to him, is satisfied that there are compelling reasons because of the exceptional circumstances of the case for shortening the period of [<sup>F12</sup>28] days mentioned in section 11(b), he may shorten it to such period as he considers appropriate.
- (2) Regulations may make provision with respect to the making, and granting, of applications under subsection (1).
- (3) Regulations under subsection (2) may provide for—
  - (a) the power conferred by subsection (1) to be exercised by a registration authority on behalf of the Registrar General in such classes of case as are prescribed by the regulations;
  - (b) the making of an appeal to the Registrar General against a decision taken by a registration authority in accordance with regulations made by virtue of paragraph (a).
- [ If a proposed civil partnership is referred to the Secretary of State under section 12A—<sup>F13</sup>(4)
  - (a) any application under subsection (1) is to be made to the Secretary of State; and
  - (b) the power conferred by subsection (1) is exercisable by the Secretary of State.
- (5) If the Secretary of State grants an application made under subsection (1), the Secretary of State must give notice of the grant of the application to—
  - (a) the applicant,
  - (b) the registration authority to which notice of the proposed civil partnership was given, and
  - (c) if different, the registration authority responsible for issuing the civil partnership schedule under section 14(1) in relation to the proposed civil partnership.
- (6) Regulations under subsection (2) do not apply to applications made to the Secretary of State in accordance with subsection (4).
- (7) The Secretary of State may by regulations make provision with respect to the making, and granting, of applications made in accordance with subsection (4).
- (8) The Secretary of State must consult the Registrar General before making regulations under subsection (7).]

### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F12** Word in s. 12(1) substituted (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 23\(2\)](#) (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F13** S. 12(4)-(8) inserted (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 23\(3\)](#) (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)

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### Commencement Information

- I3** S. 12 wholly in force at 5.12.2005; s. 12 not in force at Royal Assent see s. 263; s. 12(2) in force at 15.4.2005 by [S.I. 2005/1112](#), [art. 2](#), [Sch. 1](#); s. 12(1)(3) in force at 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), [art. 2\(1\)](#), [Sch. 1](#)

### **F14** **12A** Referral of proposed civil partnership to Secretary of State **E+W**

- (1) On every occasion when notice of proposed civil partnership is given under section 8, the registration authority must decide whether or not each of the parties to the proposed civil partnership is an exempt person.
- (2) But this section does not apply if Schedule 3 applies to the proposed civil partnership.
- (3) In making a decision under subsection (1) about a party to a proposed civil partnership, a registration authority may rely on any advice given in relation to that decision by the Secretary of State.
- (4) In a case where—
  - (a) section 8A applies to the notice of proposed civil partnership, and
  - (b) specified evidence required by section 9A(2) or (3) in relation to a party to the proposed civil partnership is not produced in accordance with that section,the registration authority must decide that that party to the proposed civil partnership is not an exempt person.
- (5) If the registration authority decides that either of the parties is not an exempt person, or that both of the parties are not exempt persons, the registration authority must—
  - (a) refer the proposed civil partnership to the Secretary of State;
  - (b) notify the parties to the proposed civil partnership that the proposed civil partnership must be referred to the Secretary of State;
  - (c) give the parties to the proposed civil partnership prescribed information about—
    - (i) the effects of the referral;
    - (ii) the requirement under regulations under section 9B to notify the Secretary of State of changes of address.
- (6) The registration authority must act in accordance with regulations when complying with the duty in subsection (5)(a) to refer a proposed civil partnership to the Secretary of State.
- (7) Regulations may, in particular, make provision about—
  - (a) the form, manner or timing of the referral of a proposed civil partnership;
  - (b) information, photographs or evidence — or copies of any of those things — to be included with the referral of a proposed civil partnership.
- (8) If the registration authority refers the proposed civil partnership to the Secretary of State, this Act has effect in relation to the proposed civil partnership subject to the modifications in Schedule 3A.
- (9) In this section—
  - (a) a reference to a person being an exempt person has the same meaning as in section 49 of the Immigration Act 2014;
  - (b) “prescribed information” means information prescribed in regulations;

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- (c) “regulations” means regulations made by the Secretary of State after consulting the Registrar General.]

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F14** S. 12A inserted (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 24** (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)

### 13 **Objection to proposed civil partnership** E+W

- (1) Any person may object to the issue of a civil partnership schedule under section 14 by giving any registration authority notice of his objection.
- (2) A notice of objection must—
  - (a) state the objector’s place of residence and the ground of objection, and
  - (b) be signed by or on behalf of the objector.
- (3) If a notice of objection is given to a registration authority, it must ensure that the fact that it has been given and the information in it are recorded in the register as soon as possible.

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)

### 14 **Issue of civil partnership schedule** E+W

- (1) As soon as the waiting period in relation to each notice of proposed civil partnership has expired, the registration authority in whose area it is proposed that the registration take place is under a duty, at the request of one or both of the proposed civil partners, to issue a document to be known as a “civil partnership schedule”.
- (2) Regulations may make provision as to the contents of a civil partnership schedule.
- (3) The duty in subsection (1) does not apply if the registration authority is not satisfied that there is no lawful impediment to the formation of the civil partnership.
- (4) If an objection to the issue of the civil partnership schedule has been recorded in the register, no civil partnership schedule is to be issued until—
  - (a) the relevant registration authority has investigated the objection and is satisfied that the objection ought not to obstruct the issue of the civil partnership schedule, or
  - (b) the objection has been withdrawn by the person who made it.

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- (5) “The relevant registration authority” means the authority which first records that a notice of proposed civil partnership has been given by one of the proposed civil partners.

[ This section has effect subject to section 14A.]

<sup>F15</sup>(6)

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 21** (with [Sch. 9 para. 66](#)); [S.I. 2014/2771](#), art. 3(e); [S.I. 2015/371](#), art. 2(1)(f)
- F15** S. 14(6) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 26(1)** (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), art. 2(1)(f)

#### Commencement Information

- I4** S. 14 wholly in force at 5.12.2005; s. 14 not in force at Royal Assent see s. 263; s. 14(2) in force at 15.4.2005 by [S.I. 2005/1112](#), **art. 2**, **Sch. 1**; s. 14(1)(3)-(5) in force at 5.12.2005 insofar as not already in force by [S.I. 2005/3175](#), **art. 2(1)**, **Sch. 1**

### [<sup>F16</sup>14A Notice of proposed civil partnership: false information or evidence **E+W**]

- (1) A registration authority may refuse to issue a civil partnership schedule under section 14(1) in a case where—
- notice of a proposed civil partnership has been given under section 8, and
  - a registration authority has reasonable grounds for suspecting that a relevant decision was made incorrectly because of the provision of false information or evidence.
- (2) If a registration authority refuses to issue the schedule, the parties to the proposed civil partnership are to be taken not to have given notice under section 8; but that does not prevent criminal proceedings from being brought against either party, or any other person, in relation to the giving of the notice.
- (3) This section does not limit the powers of registration authorities to refuse to issue civil partnership schedules.
- (4) In this section—
- “evidence” includes a photograph or other image;
  - “exempt person” has the same meaning as in section 12A;
  - “relevant decision” means a decision of a registration authority that a party to the proposed civil partnership is an exempt person.]

#### Textual Amendments

- F16** S. 14A inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), **Sch. 4 para. 26(2)** (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), art. 2(1)(f)

### 15 Appeal against refusal to issue civil partnership schedule **E+W**

- (1) If the registration authority refuses to issue a civil partnership schedule—

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- (a) because an objection to its issue has been made under section 13, or
  - (b) in reliance on section 14(3) [<sup>F17</sup>or 14A],
- either of the proposed civil partners may appeal to the Registrar General.

(2) On an appeal under this section the Registrar General must either confirm the refusal or direct that a civil partnership schedule be issued.

[<sup>F18</sup>(3) In a case where—

- (a) in reliance on section 14A, a registration authority refuses to issue a civil partnership schedule, and
- (b) on an appeal against the refusal, the Registrar General directs that a civil partnership schedule be issued,

section 14A(2) is of no effect — and is to be taken to have never had any effect — in relation to the parties' giving of notice under section 8.]

#### Textual Amendments

**F17** Words in s. 15(1)(b) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\), s. 75\(3\), Sch. 4 para. 26\(3\)](#) (a) (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)

**F18** S. 15(3) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\), s. 75\(3\), Sch. 4 para. 26\(3\)\(b\)](#) (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)

## 16 Frivolous objections and representations [<sup>F19</sup>and appeals]: liability for costs etc. **E+W**

(1) Subsection (3) applies if—

- (a) a person objects to the issue of a civil partnership schedule, but
- (b) the Registrar General declares that the grounds on which the objection is made are frivolous and ought not to obstruct the issue of the civil partnership schedule.

(2) Subsection (3) also applies if—

- (a) in reliance on section 14(3), the registration authority refuses to issue a civil partnership schedule as a result of a representation made to it, and
- (b) on an appeal under section 15 against the refusal, the Registrar General declares that the representation is frivolous and ought not to obstruct the issue of the civil partnership schedule.

(3) The person who made the objection or representation is liable for—

- (a) the costs of the proceedings before the Registrar General, and
- (b) damages recoverable by the proposed civil partner to whom the objection or representation relates.

[<sup>F20</sup>(3A) If—

- (a) in reliance on section 14A, a registration authority refuses to issue a civil partnership schedule, and
- (b) on an appeal against the refusal, the Registrar General declares that the appeal is frivolous,

the person making the appeal is liable for the costs of the proceedings before the Registrar General.]

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- (4) For the purpose of enabling any person to recover any [<sup>F21</sup>costs and damages in accordance with subsection (3) or (3A)], a copy of a declaration of the Registrar General purporting to be sealed with the seal of the General Register Office is evidence that the Registrar General has made the declaration.

#### Textual Amendments

- F19** Words in s. 16 title inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 26\(4\)\(a\)](#) (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)
- F20** S. 16(3A) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 26\(4\)\(b\)](#) (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)
- F21** Words in s. 16(4) substituted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 26\(4\)\(c\)](#) (with [Sch. 9 para. 66](#)); S.I. 2015/371, art. 2(1)(f)

## 17 Period during which registration may take place **E+W**

- (1) The proposed civil partners may not register as civil partners of each other on the production of the civil partnership schedule until the waiting period in relation to each notice of proposed civil partnership has expired.
- (2) Subject to subsection (1), under the standard procedure, they may register as civil partners by signing the civil partnership schedule [<sup>F22</sup>[<sup>F23</sup>at any time during] the applicable period <sup>F24</sup>...].
- (3) If they do not register as civil partners by signing the civil partnership schedule before the end of the applicable period—
- the notices of proposed civil partnership and the civil partnership schedule are void, and
  - no civil partnership registrar may officiate at the signing of the civil partnership schedule by them.
- (4) The applicable period, in relation to two people registering as civil partners of each other, is the period of 12 months beginning with—
- the day on which the notices of proposed civil partnership are recorded, or
  - if the notices are not recorded on the same day, the earlier of those days.]

#### Textual Amendments

- F6** Ss. 9-9F substituted for s. 9 (20.10.2014 for specified purposes, 1.3.2015 in so far as not already in force) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 21](#) (with [Sch. 9 para. 66](#)); S.I. 2014/2771, art. 3(e); S.I. 2015/371, art. 2(1)(f)
- F22** Words in s. 17(2) substituted (5.12.2005) by [The Civil Partnership \(Amendments to Registration Provisions\) Order 2005 \(S.I. 2005/2000\)](#), art. 3, [Sch. para. 7](#) (subject to art. 1(3))
- F23** Words in s. 17(2) substituted (1.10.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), [ss. 114\(3\)\(a\)](#), 120 (with s. 97); S.I. 2012/2234, art. 3(m)
- F24** Words in s. 17(2) repealed (1.10.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), [ss. 114\(3\)\(b\)](#), 120, [Sch. 10 Pt. 11](#) (with s. 97); S.I. 2012/2234, art. 3(m)



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