

Status: Point in time view as at 15/04/2005. This version of this part contains provisions that are not valid for this point in time.
Changes to legislation: Civil Partnership Act 2004, Part 4 is up to date with all changes known to be in force on or before 01 July 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)

SCHEDULES

SCHEDULE 23 **U.K.**

IMMIGRATION CONTROL AND FORMATION OF CIVIL PARTNERSHIPS

PART 4 **U.K.**

NORTHERN IRELAND

VALID FROM 05/12/2005

Application of this Part

- 12 This Part of this Schedule applies if the civil partnership is to be formed in Northern Ireland.

Procedure for giving civil partnership notices

- 13 (1) The civil partnership notices must be given—
(a) only to a prescribed registrar, and
(b) in prescribed cases by both parties together in person at a prescribed register office.
- (2) Before making any regulations under this paragraph the Secretary of State must consult the Registrar General.

Commencement Information

- II** Sch. 23 para. 13 wholly in force at 5.12.2005; Sch. 23 para. 13 not in force at Royal Assent see s. 263; Sch. 23 para. 13 in force for certain purposes at 15.4.2005 by S.I. 2005/1112, art. 2, Sch. 1 and Sch. 23 para. 13 in force otherwise at 5.12.2005 by S.I. 2005/3175, art. 2(1), Sch. 1

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Accompanying statement as to the qualifying condition

- 14 A civil partnership notice given by a person subject to immigration control must be accompanied by a statement that the person fulfils the qualifying condition (and the reason why).

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Civil partnership notice book and civil partnership schedule

- 15 (1) No action must be taken under section 140(1) or 143 (civil partnership notice book and civil partnership schedule) unless the prescribed registrar is satisfied by the production of specified evidence that the person fulfils the qualifying condition.
- (2) If the prescribed registrar is satisfied as mentioned in sub-paragraph (1) but is not the registrar for the purposes of section 140(1), the prescribed registrar must send him the civil partnership notices and he is to be treated as having received them when the prescribed registrar received them.
- (3) “Specified evidence” means such evidence as may be specified in guidance issued by the Secretary of State after consultation with the Registrar General.

Commencement Information

- I2** Sch. 23 para. 15 wholly in force at 5.12.2005; Sch. 23 para. 15 not in force at Royal Assent see s. 263; Sch. 23 para. 15(1)(3) in force for certain purposes at 15.4.2005 by S.I. 2005/1112, art. 2, Sch. 1 and Sch. 23 para. 15 in force otherwise at 5.12.2005 by S.I. 2005/3175, art. 2(1), Sch. 1

Supplementary

- 16 (1) Part 4 of this Act has effect in any case where this Part of this Schedule applies subject to any necessary modification.
- (2) In particular, section 176 has effect as if the matters proof of which is not necessary in support of the civil partnership included compliance with this Part of this Schedule.
- (3) In this Part of this Schedule—
- (a) “prescribed” means prescribed by regulations made by the Secretary of State;
 - (b) “registrar” means a person appointed under section 152(1)(a) or (b) or (3);
 - (c) other expressions have the same meaning as in Chapter 1 of Part 4 of this Act.
- (4) Section 18(3) of the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)) (provisions as to holders of offices) shall apply to this Part of this Schedule as if it were an enactment within the meaning of that Act.

Commencement Information

- I3** Sch. 23 para. 16 wholly in force at 5.12.2005; Sch. 23 para. 16 not in force at Royal Assent see s. 263; Sch. 23 para. 16(3)(a) in force for certain purposes at 15.4.2005 by S.I. 2005/1112, art. 2, Sch. 1 and Sch. 23 para. 16 in force otherwise at 5.12.2005 by S.I. 2005/3175, art. 2(1), Sch. 1

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