



# Civil Partnership Act 2004

## 2004 CHAPTER 33

### PART 3

#### CIVIL PARTNERSHIP: SCOTLAND

### CHAPTER 2

#### REGISTRATION

#### 100 Offences

- (1) A person (“A”) commits an offence who registers in Scotland as the civil partner of another person (“B”) knowing that either or both—
  - (a) A is already married to or in civil partnership with a person other than B, or
  - (b) B is already married to or in civil partnership with a person other than A.
- (2) A person commits an offence who knowingly—
  - (a) falsifies or forges any civil partnership document (that is to say, any document issued or made, or purporting to be issued or made, or required, under this Part),
  - (b) uses, or gives or sends to any person as genuine, any false or forged civil partnership document,
  - (c) being an authorised registrar, purports to register two people as civil partners of each other before any civil partnership schedule available to him at the time of registration has been duly completed,
  - (d) not being an authorised registrar, conducts himself in such a way as to lead intended civil partners to believe that he is authorised to register them as civil partners of each other,
  - (e) being an authorised registrar, purports to register two people as civil partners of each other without both of them being present, or

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*Status: This is the original version (as it was originally enacted).*

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- (f) being an authorised registrar, purports to register two people as civil partners of each other in a place other than a registration office or a place agreed under section 93.
- (3) A person guilty of an offence under subsection (1) or (2) is liable—
- (a) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine (or both);
  - (b) on summary conviction, to imprisonment for a term not exceeding 3 months or to a fine not exceeding level 3 on the standard scale (or both).
- (4) Summary proceedings for an offence under subsection (1) or (2) may be commenced at any time within 3 months after evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge or within 12 months after the offence is committed (whichever period last expires).
- (5) Subsection (3) of section 136 of the Criminal Procedure (Scotland) Act 1995 (c. 46) (time limits) has effect for the purposes of this section as it has for the purposes of that section.