

MARRIAGE (SAME SEX COUPLES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS AND SCHEDULES

Part 3 – Final provisions

Section 17 – Transitional and consequential provision

70. It may be necessary to deal with the transition from the situation where marriage is only available to opposite sex couples to the situation where marriage is also available to same sex couples. It may also be necessary to deal with the consequences of that change. Section 17 provides powers for the Secretary of State or Lord Chancellor to make orders that would allow these sorts of circumstances to be dealt with:
- transitional, transitory or saving provision in connection with the coming into force of any provision of the Act may be made under subsection (1);
 - provision in consequence of the Act may be made under subsection (2).
71. Under subsection (3), any such order may include amendments to primary or subordinate legislation of any part of the United Kingdom. If the order makes amendments to primary legislation it must be made by the affirmative parliamentary procedure; otherwise the power is subject to the negative procedure.
72. Subsection (4) brings into effect Schedule 7 (Transitional and consequential provision etc).