

Status: Point in time view as at 31/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Paragraph 1. (See end of Document for details)

SCHEDULES

SCHEDULE 2

EXTRA-TERRITORIAL MATTERS

PART 1

ENGLISH AND WELSH MARRIAGES OF SAME SEX COUPLES: TREATMENT IN SCOTLAND AND NORTHERN IRELAND

Scotland

- 1 (1) The Secretary of State may, by order, provide that, under the law of Scotland, a marriage of a same sex couple under the law of England and Wales is to be treated as a civil partnership formed under the law of England and Wales (and that, accordingly, the spouses are to be treated as civil partners).
- (2) The Secretary of State may by order—
- (a) provide for the treatment of a marriage as a civil partnership (by virtue of an order under sub-paragraph (1)) to have effect subject to provision made by the order;
 - (b) specify cases in which a marriage is not to be treated as a civil partnership by virtue of an order under sub-paragraph (1).
- (3) The power conferred by sub-paragraph (1) may only be exercised if marriage of same sex couples is not lawful under the law of Scotland.
- (4) If marriage of same sex couples becomes lawful under the law of Scotland, that does not—
- (a) affect the validity of any order made under this paragraph; or
 - (b) prevent the revocation of any such order (with or without transitional, transitory or saving provision being made) using the powers conferred by this paragraph.

Commencement Information

II Sch. 2 para. 1 in force at 31.10.2013 by [S.I. 2013/2789](#), [art. 3\(d\)](#)

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