

Status: Point in time view as at 10/12/2014.

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

SCHEDULES

SCHEDULE 5

CHANGE OF GENDER OF MARRIED PERSONS OR CIVIL PARTNERS

PART 1

APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS

Successful applications

- 3 Section 4 (successful applications): for subsections (2) and (3) substitute—
- “(2) The certificate is to be a full gender recognition certificate if—
- (a) the applicant is neither a civil partner nor married,
 - (b) the applicant is a party to a protected marriage and the applicant's spouse consents to the marriage continuing after the issue of a full gender recognition certificate, or
 - (c) the applicant is a party to a protected civil partnership and the Panel has decided to issue a full gender recognition certificate to the other party to the civil partnership.
- (3) The certificate is to be an interim gender recognition certificate if—
- (a) the applicant is a party to a protected marriage and the applicant's spouse does not consent to the marriage continuing after the issue of a full gender recognition certificate,
 - (b) the applicant is a party to a marriage that is not a protected marriage,
 - (c) the applicant is a party to a protected civil partnership and the other party to the civil partnership has not made an application under section 1(1),
 - (d) the applicant is a party to a protected civil partnership and the Panel has decided not to issue a full gender recognition certificate to the other party to the civil partnership, or
 - (e) the applicant is a party to a civil partnership that is not a protected civil partnership.
- (3A) If a Gender Recognition Panel issues a full gender recognition certificate under this section to an applicant who is a party to a protected marriage, the Panel must give the applicant's spouse notice of the issue of the certificate.
- (3B) Subsection (2)(c) is subject to section 5B.”

Commencement Information

II Sch. 5 para. 3 in force at 10.12.2014 by S.I. 2014/3169, art. 2

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