

SCHEDULES

SCHEDULE 4

REFERRAL OF PROPOSED MARRIAGES AND CIVIL PARTNERSHIPS IN ENGLAND AND WALES

PART 2

CIVIL PARTNERSHIP

Civil partnership referred to Secretary of State: issue of civil partnership schedule

26 (1) In section 14 (issue of civil partnership schedule), at the end insert—

“(6) This section has effect subject to section 14A.”.

(2) After section 14 insert—

“14A Notice of proposed civil partnership: false information or evidence

(1) A registration authority may refuse to issue a civil partnership schedule under section 14(1) in a case where—

(a) notice of a proposed civil partnership has been given under section 8, and

(b) a registration authority has reasonable grounds for suspecting that a relevant decision was made incorrectly because of the provision of false information or evidence.

(2) If a registration authority refuses to issue the schedule, the parties to the proposed civil partnership are to be taken not to have given notice under section 8; but that does not prevent criminal proceedings from being brought against either party, or any other person, in relation to the giving of the notice.

(3) This section does not limit the powers of registration authorities to refuse to issue civil partnership schedules.

(4) In this section—

“evidence” includes a photograph or other image;

“exempt person” has the same meaning as in section 12A;

“relevant decision” means a decision of a registration authority that a party to the proposed civil partnership is an exempt person.”.

(3) In section 15 (appeal against refusal to issue civil partnership schedule)—

(a) in subsection (1)(b), after “14(3)” insert “or 14A”;

(b) after subsection (2) insert—

“(3) In a case where—

Status: This is the original version (as it was originally enacted).

- (a) in reliance on section 14A, a registration authority refuses to issue a civil partnership schedule, and
 - (b) on an appeal against the refusal, the Registrar General directs that a civil partnership schedule be issued,section 14A(2) is of no effect — and is to be taken to have never had any effect — in relation to the parties’ giving of notice under section 8.”.
- (4) In section 16 (frivolous objections and representations: liability for costs etc)—
 - (a) in the title, after “**representations**” insert “**and appeals**”;
 - (b) after subsection (3) insert—
 - “(3A) If—
 - (a) in reliance on section 14A, a registration authority refuses to issue a civil partnership schedule, and
 - (b) on an appeal against the refusal, the Registrar General declares that the appeal is frivolous,the person making the appeal is liable for the costs of the proceedings before the Registrar General.”;
 - (c) in subsection (4), for “such costs and damages” substitute “costs and damages in accordance with subsection (3) or (3A)”.