

2013 No. 2789 (C. 110)

MARRIAGE

**The Marriage (Same Sex Couples) Act 2013 (Commencement
No. 1) Order 2013**

Made - - - - *30th October 2013*

The Secretary of State, in exercise of the powers conferred by section 21(3) of the Marriage (Same Sex Couples) Act 2013(a), makes the following Order:

Citation and interpretation

1.—(1) This Order may be cited as the Marriage (Same Sex Couples) Act 2013 (Commencement No. 1) Order 2013.

(2) In this Order “the Act” means the Marriage (Same Sex Couples) Act 2013.

Provisions conferring power to make subordinate legislation

2. To the extent that the following provisions of the Act confer or relate to the power to make subordinate legislation, those provisions come into force on the day after the day on which this Order is made, for the purpose of exercising any power (arising under or by virtue of that provision) to make subordinate legislation—

- (a) section 4 and Schedule 1; and
- (b) paragraphs 5, 8 and 14 of Schedule 4 and section 11(4) in so far as it relates to those paragraphs.

Other provisions coming into force

3. The following provisions of the Act come into force on the day after the day on which this Order is made—

- (a) section 14;
- (b) section 17(1) to (3);
- (c) sections 18 to 20;
- (d) paragraphs 1 and 2(2) of Schedule 2 and section 10(3) in so far as it relates to those paragraphs; and
- (e) paragraph 27(3) and (4) of Schedule 4 and section 11(4) in so far as it relates to those sub-paragraphs.

30th October 2013

Maria Miller
Secretary of State for Culture, Media and Sport and
Minister for Women and Equalities

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on the day after the day on which this Order is made certain provisions of the Marriage (Same Sex Couples) Act 2013 (c. 30) (“the Act”) for the purpose of making subordinate legislation. These are powers of the Secretary of State in Schedule 1 (to make regulations under the Marriage Act 1949 (c. 76) concerning the registration of places of worship and shared places of worship for the solemnization of marriages of same sex couples, and the appointment of authorised persons); and in paragraph 14 of Schedule 4 (to make regulations concerning graduated retirement benefit under the Social Security Contributions and Benefits Act 1992 (c. 4)). The power to make regulations at paragraphs 5 and 8 of Schedule 4 is for the Lord Chancellor (concerning the jurisdiction of the courts in England and Wales regarding marriages of same sex couples).

The Order also brings into force on the day after the day on which this Order is made the following provisions: section 14 of the Act (marriage according to the usages of belief organisations); sections 17(1) to (3) and 18 to 20 (the final provisions); paragraphs 1 and 2(2) of Schedule 2 (powers to make an order concerning the treatment under the law of Scotland and of Northern Ireland of a marriage of a same sex couple under the law of England and Wales); and paragraph 27(3) and (4) of Schedule 4 (the power to make contrary provision to limit the equivalence in law of marriages of same sex couples and marriages of opposite sex couples).

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