
STATUTORY INSTRUMENTS

2014 No. 3181

The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014

PART 1

Introductory

Citation and commencement

1. These Regulations may be cited as the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 and come into force on 10th December 2014.

Commencement Information

II Reg. 1 in force at 10.12.2014, see [reg. 1](#)

Interpretation

2. In these Regulations—

“the 1949 Act” means the Marriage Act 1949⁽¹⁾;

“the 2004 Act” means the Civil Partnership Act 2004⁽²⁾;

“the 2013 Act” means the Marriage (Same Sex Couples) Act 2013;

“authorised person”, in relation to a conversion in a country or territory outside the United Kingdom, means a person authorised by the commanding officer of any of Her Majesty’s forces in that country or territory to conduct that conversion or conversions generally;

“civil partnership” means a civil partnership which is either an England and Wales civil partnership, or a civil partnership within section 9(3) of the 2013 Act;

“civil partnership register” means—

- (i) in the case of an England and Wales civil partnership, the register referred to in section 30(4) of the 2004 Act;
- (ii) in the case of a civil partnership registered in accordance with the Civil Partnership (Registration Abroad and Certificates) Order 2005, the register referred to in article 16 of that Order⁽³⁾;
- (iii) in the case of a civil partnership registered in accordance with the Civil Partnership (Armed Forces) Order 2005⁽⁴⁾, the register referred to in article 2(2) of the Service Departments Registers Order 1959⁽⁵⁾;

(1) 1949 c. 76.

(2) 2004 c. 33.

(3) S.I. 2005/2761. Article 16 was amended by article 4(a) of S.I. 2012/3063.

(4) S.I. 2005/3188.

Status: Point in time view as at 10/12/2014.

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

“conversion” means the conversion of a civil partnership into a marriage under section 9 of the 2013 Act;

“conversion declaration”—

- (i) in Part 2 of these Regulations, has the meaning given in regulation 3(2);
- (ii) in Part 3 of these Regulations, has the meaning given in regulation 32(1);
- (iii) in Part 4 of these Regulations, has the meaning given in regulation 39(1);

“conversion register” has the meaning given in regulation 22(1);

“England and Wales civil partnership” has the same meaning as in section 9(7) of the 2013 Act;

“Her Majesty’s forces” has the same meaning as in the Armed Forces Act 2006(6);

“local authority” means—

- (i) a county council in England;
- (ii) a district council in England for an area without a county council;
- (iii) a London borough council;
- (iv) the Common Council of the City of London;
- (v) the Council of the Isles of Scilly;
- (vi) a county or county borough council in Wales;

“register office” means a register office provided under section 10 of the Registration Service Act 1953(7);

“registration authority” has the same meaning as in section 28 of the 2004 Act;

“registration district” means a registration district within the meaning of section 5 of the Registration Service Act 1953(8);

“registration officer” has the same meaning as in paragraph 6 of Schedule 6 to the 2013 Act;

“relevant civilian” means a person who is a relevant civilian for the purposes of Part 3 of Schedule 6 to the 2013 Act and any Order in Council made under that Part;

“United Kingdom national” has the same meaning as in paragraph 15 of Schedule 6 to the 2013 Act.

Commencement Information

I2 Reg. 2 in force at 10.12.2014, see [reg. 1](#)

PART 2

Conversion in England and Wales

Conversion declaration

3.—(1) The parties to a civil partnership are to be regarded as having converted their civil partnership to a marriage when, having followed one of the procedures mentioned in regulation 5—

(5) [S.I. 1959/406](#). Article 2(2) was amended by article 2(3) of [S.I. 2005/3186](#).

(6) [2006 c. 52](#).

(7) [1953 c. 37](#); section 10(1) and (3) was amended by section 251 of, and paragraph 41 of Schedule 29 to, the Local Government Act 1972 ([c. 70](#)).

(8) Section 5(1) was amended by section 251 of, and paragraph 41 of Schedule 29 to, the Local Government Act 1972 ([c. 70](#)).

- (a) at the invitation of the superintendent registrar, and in the presence of the superintendent registrar and of each other, each of them has signed the conversion declaration; and
 - (b) the superintendent registrar has also signed the conversion declaration in the presence of the parties.
- (2) In this Part of these Regulations, “conversion declaration”, in relation to a conversion, means a document containing—
- (a) the information recorded by the superintendent registrar in accordance with regulation 4(1);
 - (b) a declaration in the following terms: “I solemnly and sincerely declare that we are in a civil partnership with each other and I know of no legal reason why we may not convert our civil partnership into a marriage. I understand that on signing this document we will be converting our civil partnership into a marriage and you will thereby become my lawful wife [*or* husband].”; and
 - (c) a declaration that the party believes that all of the information and evidence given for the purposes of the conversion is true.
- (3) As well as signing the conversion declaration as mentioned in paragraph (1)(a), the parties may, if they wish, say the words of the declaration in paragraph (2)(b) to each other in the presence of the superintendent registrar.

Commencement Information

I3 Reg. 3 in force at 10.12.2014, see [reg. 1](#)

Information to be provided to Superintendent Registrar

4.—(1) Before the parties to a civil partnership may convert their civil partnership into a marriage, the information in paragraphs (2) and (3) must be provided by the parties in accordance with regulations 6, 7, 8, 9 or 10 (as the case may be) and recorded by the superintendent registrar on the conversion declaration.

- (2) Each party must provide the following details pertaining to that party—
 - (a) forenames;
 - (b) surname;
 - (c) date of birth;
 - (d) sex;
 - (e) rank or profession;
 - (f) address; and
 - (g) subject to paragraph (4), father’s forenames, surname, and rank or profession;
- (3) The parties must jointly provide details of—
 - (a) the date and place of the formation of the parties’ civil partnership;
 - (b) the place at which it is proposed that the conversion declaration will be made.
- (4) Paragraph (2)(g) must be recorded by the superintendent registrar as follows—
 - (a) if the father of either party is deceased, the superintendent registrar must record the word “deceased” after the father’s surname;

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

- (b) if either party wishes to record a step-father's name instead of the father's name, the superintendent registrar must record the word "step-father" after the surname, provided he is or has been married to the mother.
- (5) Where it appears to the superintendent registrar that a party is unable to provide certain of the details required by paragraph (2), the superintendent registrar may convert the civil partnership without those details if it is reasonable to do so.
- (6) The superintendent registrar must record the date on which the information in paragraphs (2) and (3) is recorded on the conversion declaration.
- (7) For the purposes of section 4A(3) of the Gender Recognition Act 2004⁽⁹⁾, the date on which the conversion application is made means the date recorded by the superintendent registrar in accordance with paragraph (6).

Commencement Information

I4 Reg. 4 in force at 10.12.2014, see [reg. 1](#)

Conversion procedures

5. The parties to a civil partnership may convert their civil partnership into a marriage in accordance with, as applicable—
- the standard procedure (regulation 6);
 - the procedure for housebound persons (regulation 7);
 - the procedure for detained persons (regulation 8);
 - the special procedure (which is for cases where a person is seriously ill and is not expected to recover) (regulation 9); or
 - the two stage procedure (regulations 10 to 12).

Commencement Information

I5 Reg. 5 in force at 10.12.2014, see [reg. 1](#)

Standard procedure for conversion

- 6.—(1) For the parties to a civil partnership to convert their civil partnership into a marriage in accordance with the standard procedure—
- they must attend together in person before the superintendent registrar of a registration district to provide the information required by regulation 4(2) and (3);
 - each party must give the superintendent registrar the evidence specified in Schedule 1 relating to the name, address and date of birth of that party;
 - the parties must jointly give the superintendent registrar the evidence specified in Schedule 1 relating to the formation of their civil partnership; and
 - the parties must, subject to regulation 15, pay to the superintendent registrar the fee of £45.00.

⁽⁹⁾ 2004 c. 7; section 4A was inserted by section 12 of, and paragraph 4 of Schedule 5 to, the Marriage (Same Sex Couples) Act 2013 (c. 30).

(2) A conversion in accordance with the standard procedure must take place at a register office or any other premises provided by the local authority for the exercise of the superintendent registrar's functions (not being premises approved for the solemnization of marriages under section 46A of the 1949 Act⁽¹⁰⁾).

Commencement Information

I6 Reg. 6 in force at 10.12.2014, see [reg. 1](#)

Procedure for housebound persons

7.—(1) This regulation applies if the parties to a civil partnership wish to convert their civil partnership into a marriage at the place where one of them is housebound.

(2) A person is housebound at any place if, in relation to that person, a statement is made by a registered medical practitioner that, in his or her opinion—

- (a) because of illness or disability, that person ought not to move or be moved from the place where he or she is at the time the statement is made; and
- (b) it is likely to be the case for at least the following three months that because of the illness or disability that person ought not to move or be moved from that place.

(3) The procedure under which the parties may convert their civil partnership into a marriage is the same as the standard procedure, except that—

- (a) the details and evidence required by regulation 6(1)(a) to (c) must be accompanied by a statement made under paragraph (2) (a “medical statement”), which must have been made not more than 14 days before the day on which the medical statement is received by the superintendent registrar;
- (b) the superintendent registrar must attend the parties together at the place at which one of the civil partners is housebound in order to convert the civil partnership;
- (c) if the conversion does not take place within three months after the date on which the medical statement was made, the superintendent registrar may require the civil partners to provide a new medical statement before any conversion in accordance with the procedure for housebound persons;
- (d) the fact that the superintendent registrar has received the medical statement must be recorded in the conversion register; and
- (e) subject to regulation 15, the parties must pay to the superintendent registrar the fee of £99.00, and the fee referred to in regulation 6(1)(d) does not apply.

(4) A medical statement may not be made in relation to a person who is detained as described in regulation 8.

Commencement Information

I7 Reg. 7 in force at 10.12.2014, see [reg. 1](#)

⁽¹⁰⁾ 1949 c. 76; section 46A was inserted by section 1(2) of the Marriage Act 1994 (c. 34). There are amendments to the section, not relevant here.

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

Procedure for detained persons

8.—(1) This regulation applies if the parties to a civil partnership wish to convert their civil partnership into a marriage at the place where one of them is detained.

(2) “Detained” means detained—

- (a) as a patient in a hospital (but otherwise than by virtue of section 2, 4, 5, 35, 36 or 136 of the Mental Health Act 1983⁽¹¹⁾ (short term detentions)), or
- (b) in a prison or other place to which the Prison Act 1952⁽¹²⁾ applies.

(3) The procedure under which the parties may convert their civil partnership into a marriage is the same as the standard procedure, except that—

- (a) the details and evidence required under regulation 6(1)(a) to (c) must be accompanied by a supporting statement, which must have been made not more than 21 days before the day on which the supporting statement is received by the superintendent registrar;
- (b) the superintendent registrar must attend the parties together at the place identified in the supporting statement in order to convert the civil partnership;
- (c) if the conversion of the civil partnership does not take place within three months after the day on which the supporting statement was made, the superintendent registrar may require the parties to provide a new supporting statement before any conversion in accordance with the procedure for detained persons;
- (d) the fact that the superintendent registrar has received the supporting statement must be recorded in the conversion register; and
- (e) subject to regulation 15, the parties must pay to the superintendent registrar the fee of £117.00, and the fee referred to in regulation 6(1)(d) does not apply.

(4) A supporting statement, in relation to a detained person, is a statement made by the responsible authority which—

- (a) identifies the establishment where the person is detained; and
- (b) states that the responsible authority has no objection to the superintendent registrar attending the establishment to convert the person’s civil partnership into a marriage.

(5) “The responsible authority” means—

- (a) if the person is detained in a hospital, the hospital’s managers;
- (b) if the person is detained in a prison or other place to which the Prison Act 1952 applies, the governor or other officer for the time being in charge of that prison or other place.

(6) “Patient” and “hospital” have the same meaning as in Part 2 of the Mental Health Act 1983, and “managers” in relation to a hospital, has the same meaning as in section 145(1) of that Act⁽¹³⁾.

Commencement Information

18 Reg. 8 in force at 10.12.2014, see [reg. 1](#)

⁽¹¹⁾ 1983 c. 20. There are amendments to all sections referred to, none relevant here.

⁽¹²⁾ 1952 c. 52.

⁽¹³⁾ The definition of “managers” in section 145(1) was amended by section 2(1) of, and paragraph 107(14)(b) of Schedule 1 to, the Health Authorities Act 1995 (c. 17); article 3 of, and paragraph 13(13)(ii) of Schedule 1 to, the References to Health Authorities Order 2007 (S.I. 2007/961); section 2 of, and paragraph 70(d) of Schedule 1 to, the National Health Service (Consequential Provisions) Act 2006 (c. 43); and section 55(2) of, and paragraph 31(1)(a) of Schedule 5 to, the Health and Social Care Act 2012 (c. 7).

The special procedure

9.—(1) This regulation applies if the parties to a civil partnership wish to convert their civil partnership into a marriage under the special procedure, which applies where one of the parties is seriously ill and is not expected to recover.

(2) For the parties to convert their civil partnership into a marriage in accordance with the special procedure, one of them must—

- (a) attend in person before the superintendent registrar of a registration district to provide the details required by regulation 4(2) and (3) in respect of both parties;
- (b) provide such evidence as the superintendent registrar may require in order to be satisfied—
 - (i) of the name, address and date of birth of each of the parties;
 - (ii) of the formation of their civil partnership;
 - (iii) that one of the parties—
 - (aa) is seriously ill and is not expected to recover;
 - (bb) cannot be moved to a register office in England and Wales; and
 - (cc) understands the nature and purport of signing the conversion declaration; and
- (c) subject to regulation 15, pay to the superintendent registrar the fee of £15.00.

(3) The certificate of a registered medical practitioner is sufficient evidence of any or all of the matters referred to in paragraph (2)(b)(iii).

(4) The superintendent registrar must attend the parties at any place at which the seriously ill party referred to in paragraph (2)(b)(iii) is present in order to convert the civil partnership.

(5) A conversion in accordance with the special procedure must take place within one month of the date recorded by the superintendent registrar in accordance with regulation 4(6).

(6) The fact that the conversion was carried out in accordance with the special procedure must be recorded in the conversion register.

Commencement Information

I9 Reg. 9 in force at 10.12.2014, see [reg. 1](#)

The two stage procedure

10.—(1) This regulation and regulation 11 or 12, as the case may be, apply if the parties to a civil partnership wish to convert their civil partnership into a marriage at one of the places mentioned in regulation 11(1) or 12(1).

(2) For the parties to convert their civil partnership into a marriage in accordance with this regulation and regulation 11 or 12—

- (a) they must attend together in person before the superintendent registrar of a registration district to provide the information required by regulation 4(2) and (3);
- (b) each party must give the superintendent registrar the evidence specified in Schedule 1 relating to the name, address and date of birth of that party;
- (c) they must jointly give the superintendent registrar the evidence specified in Schedule 1 relating to the formation of their civil partnership; and
- (d) they must pay to the superintendent registrar the fee of £27.00.

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

(3) A conversion in accordance with this regulation and regulation 11 or 12, as the case may be, must take place within one year of the date recorded by the superintendent registrar in accordance with regulation 4(6).

Commencement Information

I10 Reg. 10 in force at 10.12.2014, see [reg. 1](#)

Conversion on secular premises

11.—(1) This regulation applies if the parties to a civil partnership wish to convert their civil partnership into a marriage—

- (a) in a register office (otherwise than in accordance with the standard procedure in regulation 6); or
- (b) on premises approved for the solemnization of marriages under section 46A of the 1949 Act⁽¹⁴⁾ (“approved premises”).

(2) The superintendent registrar referred to in regulation 10(2) must either—

- (a) if the conversion is to take place in the superintendent registrar’s registration district, arrange with the parties, on payment by the parties of the fee for a conversion on secular premises (in addition to the fee payable under regulation 10(2)(d)), to attend at a place mentioned in paragraph (1) to sign the conversion declaration in accordance with regulation 3(1); or
- (b) if the conversion is to take place in a different registration district, notify the parties and the superintendent registrar of that registration district that the requirements of regulation 10(2) are met in respect of the parties to the civil partnership.

(3) On receipt of a notification under paragraph (2)(b), and on payment by the parties of the fee for a conversion on secular premises, the superintendent registrar of the registration district in which the conversion is to take place must arrange with the parties to attend at a place mentioned in paragraph (1) to sign the conversion declaration in accordance with regulation 3(1).

(4) No religious service may be used at a conversion in accordance with this regulation.

(5) The fee for a conversion on secular premises referred to in paragraphs (2)(a) and (3)—

- (a) is payable to the superintendent registrar of the registration district in which the conversion is to take place;
- (b) is of an amount to be determined by the authority as reasonably representing all the costs to it of providing a superintendent registrar to attend at the conversion; and
- (c) may be reduced in accordance with regulation 16;

(6) In this regulation,

“authority” means the local authority in whose area the register office or approved premises are situated.

Commencement Information

I11 Reg. 11 in force at 10.12.2014, see [reg. 1](#)

⁽¹⁴⁾ 1949 c. 76; section 46A was inserted by section 1(2) of the Marriage Act 1994 (c. 34). There are amendments to the section, not relevant here.

Conversion on religious premises

12.—(1) This regulation applies if the parties to a civil partnership wish to convert their civil partnership into a marriage—

- (a) in a building registered for the solemnization of marriages of same sex couples under section 43A of the 1949 Act(15), and in which a ceremony under section 46 of the 1949 Act(16) is to be held in respect of the marriage immediately following the conversion;
- (b) (except where regulations 7, 8 or 9 apply), at a place at which a ceremony according to the usages of the Jews or the Society of Friends under section 46 of the 1949 Act is to be held in respect of the marriage immediately following the conversion; or
- (c) where at least one of the parties to a proposed conversion is a qualified person within the meaning of section 68(2) of the 1949 Act(17), in a naval, military or air force chapel registered for the solemnization of marriages of same sex couples under section 70A of the 1949 Act(18), and in which a ceremony under section 46 of the 1949 Act is to be held in respect of the marriage immediately following the conversion.

(2) If the superintendent registrar referred to in regulation 10(2) is satisfied that the requirements section 46(1C)(19) of the 1949 Act are met, the superintendent registrar must either—

- (a) if the conversion is to take place in the superintendent registrar’s registration district, arrange with the parties, on payment by the parties of the fee for a conversion on religious premises (in addition to the fee payable under regulation 10(2)(d)), to attend at a place mentioned in paragraph (1) to sign the conversion declaration in accordance with regulation 3(1); or
- (b) if the conversion is to take place in a different registration district, notify the parties and the superintendent registrar of that registration district that the requirements of regulation 10(2) and section 46(1C) of the 1949 Act are met in respect of the parties to the civil partnership.

(3) On receipt of a notification under paragraph (2)(b), and on payment by the parties of the fee for a conversion on religious premises, the superintendent registrar of the registration district in which the conversion is to take place must arrange with the parties to attend at a place mentioned in paragraph (1) to sign the conversion declaration in accordance with regulation 3(1).

(4) The fee for a conversion on religious premises referred to in paragraphs (2)(a) and (3)—

- (a) is £91.00 payable to the superintendent registrar of the registration district in which the conversion is to take place; and
- (b) may be reduced in accordance with regulation 16.

(5) The superintendent registrar (referred to in regulation 10(2) or in regulation 12(3), or both) may require—

- (a) the relevant governing authority to produce evidence relating to the consent referred to in section 46(1C) of the 1949 Act; and
- (b) the trustees or governing body of the relevant religious organisation to provide written confirmation that a ceremony under section 46 of the 1949 Act is to be held in respect of the marriage immediately following the conversion.

(15) Section 43A was inserted by section 4(2) of, and paragraph 2 of Schedule 1 to, the Marriage (Same Sex Couples) Act 2013.

(16) Section 46 was amended by section 17(4) of, and paragraph 13 of Schedule 7 to, the Marriage (Same Sex Couples) Act 2013.

(17) The definition of ‘qualified person’ in section 68(2) of the 1949 Act was amended by section 20 of, and paragraph 8 of Schedule 3 to, and by section 28(2) of, and Part 1 of Schedule 5 to, the Armed Forces Act 1981 (c. 55); and by section 34 of, and paragraph 31(a) of Schedule 6 to, the Armed Forces Act 2001 (c. 19).

(18) Section 70A was inserted by section 6(4) of the Marriage (Same Sex Couples) Act 2013.

(19) Section 46(1C) was inserted by section 17 of, and paragraph 13 of Schedule 7 to, the Marriage (Same Sex Couples) Act 2013 (c. 30).

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

(6) In determining if a person is a qualified person for the purposes of paragraph (1)(c), the “relevant date” for the purposes of section 68 of the 1949 Act is the date of the conversion.

(7) In this regulation, “relevant governing authority” and “relevant religious organisation” have the same meaning as in section 46(1D) of the 1949 Act.

Commencement Information

I12 Reg. 12 in force at 10.12.2014, see [reg. 1](#)

Conversion followed by religious ceremony

13. Where a conversion (following the procedures set out in regulations 7, 8, 9 or 10 and 12) is immediately to be followed by a ceremony under section 46 of the 1949 Act, the certificate of the parties’ marriage to be produced under section 46(1) is the signed conversion declaration.

Commencement Information

I13 Reg. 13 in force at 10.12.2014, see [reg. 1](#)

Ceremonies

14.—(1) A local authority may provide a service or ceremony following a conversion in such form as may be agreed with the parties, and on payment of an amount determined by the local authority as reasonably representing all the costs to it of providing the service or ceremony.

(2) No religious service may be used at a service or ceremony under paragraph (1).

Commencement Information

I14 Reg. 14 in force at 10.12.2014, see [reg. 1](#)

Waiver of fees

15. No fee is payable in respect of a conversion where—

- (a) the civil partnership that is to be converted into a marriage was formed before 29th March 2014; and
- (b) the conversion takes place in accordance with one of the procedures set out in regulations 6 to 9 before 10th December 2015.

16. The fee payable under regulations 11(2)(a) or (3), or 12(2)(a) or (3) for a conversion in accordance with the procedure set out in regulations 10 to 12 is reduced by £45.00 where—

- (a) the civil partnership that is to be converted into a marriage was formed before 29th March 2014; and
- (b) the conversion takes place before 10th December 2015.

Commencement Information

I15 Reg. 15 in force at 10.12.2014, see [reg. 1](#)

I16 Reg. 16 in force at 10.12.2014, see [reg. 1](#)

Verification and amendment of contents of conversion declaration

17.—(1) Before the conversion declaration is signed by the parties, the superintendent registrar must confirm with the parties that the information entered on the declaration is complete and correct and if it is not, amend it as necessary.

(2) Any amendment of the information on the conversion declaration must be initialled by the party to whom that information relates.

(3) Where either of the parties sign the conversion declaration by making a mark or by signing in characters other than those used in the English or Welsh languages, the superintendent registrar must enter against the mark or signature the words “The mark (or signature) of...” inserting the forenames and surname of the party.

Commencement Information

I17 Reg. 17 in force at 10.12.2014, see [reg. 1](#)

Duty to register marriage resulting from conversion

18.—(1) As soon as practicable after the conversion declaration is signed, the superintendent registrar who has signed the conversion declaration in accordance with regulation 3(1)(b) must register the following details in the conversion register—

- (a) the date and place of registration of the marriage (see paragraph (2));
- (b) the date from which the marriage is to be treated as having subsisted by virtue of section 9(6) of the 2013 Act⁽²⁰⁾;
- (c) the condition of each of the parties, which is to be registered as ‘civil partner’;
- (d) the following details pertaining to each of the parties—
 - (i) forenames;
 - (ii) surname;
 - (iii) age;
 - (iv) rank or profession;
 - (v) address; and
 - (vi) subject to paragraph (3), father’s forenames, surname, and rank or profession.

(2) In paragraph (1)(a), the date and place of registration of the marriage means the date on, and place at which the conversion declaration is signed, whether or not the marriage was registered on that date and at that place.

(3) Paragraph (1)(d)(vi) must be completed as follows—

- (a) if the father of either party is deceased, the superintendent registrar must enter the word “deceased” after the father’s surname;
- (b) if either party wishes to record a step-father’s name instead of the father’s name, the superintendent registrar must enter the word “step-father” after the surname, provided he is or has been married to the mother.

(4) The parties to the conversion are entitled, once the marriage has been registered, to a certified copy of the entry relating to it in the conversion register on payment, to the superintendent registrar, of a fee of £4.00.

⁽²⁰⁾ 2013 c. 30. Section 9(6) provides that where a civil partnership is converted into a marriage under section 9, the resulting marriage is to be treated as having subsisted since the date the civil partnership was formed.

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

(5) A superintendent registrar must not register any marriage resulting from a conversion to which he or she is a party.

Commencement Information

I18 Reg. 18 in force at 10.12.2014, see [reg. 1](#)

Completion of declaration and registration in Welsh

19. The conversion declaration and the conversion register must be completed in English, and may also be completed in Welsh if—

- (a) the civil partners both so elect, and provide the required details in both languages;
- (b) the conversion takes place in Wales; and
- (c) the superintendent registrar by whom the conversion is completed can understand and write Welsh.

Commencement Information

I19 Reg. 19 in force at 10.12.2014, see [reg. 1](#)

Verification of information and evidence

20.—(1) A superintendent registrar may obtain from the persons mentioned in paragraph (2), information relating to persons seeking to convert a civil partnership for the purposes mentioned in paragraph (3).

- (2) The persons from whom information may be obtained are—
 - (a) the superintendent registrar of any registration district in England and Wales;
 - (b) any registration authority;
 - (c) the Registrar General.
- (3) The purposes for which information may be obtained are—
 - (a) to verify the formation and existence of the civil partnership;
 - (b) to verify any of the information and evidence provided by the civil partners.
- (4) A superintendent registrar may interview each of the persons seeking to convert a civil partnership into a marriage individually.
- (5) Nothing in this regulation limits any other power under which information may be disclosed or obtained.

Commencement Information

I20 Reg. 20 in force at 10.12.2014, see [reg. 1](#)

Duty to annotate civil partnership records

21.—(1) As soon as practicable after a marriage is registered in accordance with regulation 18(1), or the Registrar General is notified of a conversion under Part 3 or 4 of these Regulations, the Registrar General must ensure that any records of the civil partnership held by the Registrar General (which does not include the indexes made under regulation 17(1) of the Civil Partnership

(Registration Provisions) Regulations 2005(21)), are annotated with the date and place of the conversion.

(2) After a marriage is registered in accordance with regulation 18(1), or the Registrar General is notified of a conversion under Part 3 or 4 of these Regulations, the Registrar General or a registration authority may not issue any of the certified copies or certified extracts within paragraph (3) relating to a civil partnership that has been converted into a marriage, unless the copies or extracts include the annotation made under paragraph (1).

(3) Paragraph (2) applies to—

- (a) any certified copy or certified extract of an entry in the civil partnership register issued pursuant to regulation 13 of the Civil Partnership (Registration Provisions) Regulations 2005(22);
- (b) any certified copy or certified extract of an entry in the civil partnership register issued pursuant to regulation 14 of the Civil Partnership (Registration Provisions) Regulations 2005;
- (c) any certified copy of a civil partnership document issued pursuant to article 14(3) of the Civil Partnership (Registration Abroad and Certificates) Order 2005(23).

Commencement Information

I21 Reg. 21 in force at 10.12.2014, see [reg. 1](#)

The conversion register

22.—(1) The Registrar General must provide a system for keeping any records that relate to conversions and are required by this Part of these Regulations to be made (“the conversion register”).

(2) That system may, in particular, enable those records to be kept together with other records kept by the Registrar General.

Commencement Information

I22 Reg. 22 in force at 10.12.2014, see [reg. 1](#)

Searches of indexes of conversion records kept by the Registrar General and issue of copies

23.—(1) The Registrar General must cause indexes of all entries in the conversion register to be made and to be kept in the General Register Office.

(2) Any person is entitled to search the indexes of the conversion register at any time when the General Register Office is open for that purpose, and to have a certified copy of any entry in the conversion register, on payment to the Registrar General of the fee of £9.25.

(3) The Registrar General must cause all certified copies given in the General Register Office to be sealed or stamped with the seal of that Office.

(4) Any certified copy stamped with the seal of the General Register Office is to be received in evidence of the marriage to which it relates without any further proof of the entry.

(21) [S.I. 2005/3176](#).

(22) Regulation 2 of [S.I. 2005/3176](#) provides that “certified copy” means a copy of an entry in the civil partnership register which contains all of the information recorded in that entry; and “certified extract” means a copy of an entry in the civil partnership register which does not include the addresses of the civil partners as recorded in that entry.

(23) [S.I. 2005/2761](#).

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

(5) No certified copy purporting to have been given by the General Register Office is to be of any force or effect unless it is sealed or stamped in accordance with paragraph (3).

(6) For the purpose of discharging the duty in paragraph (1), and the duty in section 65(1) of the 1949 Act(24) (duty to keep an index of certified copies of entries in marriage register books), the Registrar General may keep a joint index of entries in the conversion register and certified copies of entries in marriage register books.

Commencement Information

I23 Reg. 23 in force at 10.12.2014, see [reg. 1](#)

Searches of indexes of conversion records kept by the superintendent registrar and issue of copies

24.—(1) Every superintendent registrar must cause indexes of entries in the conversion register relating to all conversions registered in the superintendent registrar’s registration district to be made and to be kept with other records in the register office.

(2) Any person is entitled at any time when the register office is required to be open for the transaction of public business to search the indexes, and to have a certified copy of any entry in the conversion register, on payment to the superintendent registrar of the fee of £10.00.

(3) The superintendent registrar must sign all certified copies given in accordance with paragraph (2).

(4) Any certified copy signed by the superintendent registrar is to be received in evidence of the marriage to which it relates without any further proof of the entry.

(5) No certified copy purporting to have been given by the superintendent registrar is to be of any force or effect unless it is signed in accordance with paragraph (3).

(6) For the purpose of discharging the duty in paragraph (1), and the duty in section 64(1) of the 1949 Act(25) (duty to keep an index of certified copies of entries in marriage register books), the superintendent registrar may keep a joint index of entries in the conversion register and certified copies of entries in marriage register books.

Commencement Information

I24 Reg. 24 in force at 10.12.2014, see [reg. 1](#)

Retention of documents relating to conversions

25. A superintendent registrar must—

- (a) forward the conversion declarations to the Registrar General at such time as the Registrar General may require; and
- (b) retain all other information and any medical or supporting statements provided to or obtained by the superintendent registrar in connection with a conversion, or proposed conversion, for a minimum period of 5 years.

(24) 1949 c. 76. There are amendments to section 65(2) and (4), not relevant here.

(25) 1949 c. 76. There are amendments to section 64(2), not relevant here.

Commencement Information

I25 Reg. 25 in force at 10.12.2014, see [reg. 1](#)

Duties of the superintendent registrar

26.—(1) A superintendent registrar must immediately report any offence, or suspected offence, under the Perjury Act 1911⁽²⁶⁾ or the Forgery and Counterfeiting Act 1981⁽²⁷⁾ to the Registrar General in writing and must deliver to the Registrar General such documents in the superintendent registrar's possession relating to the offence as the Registrar General may require.

(2) Nothing in this regulation limits any other power or duty under which offences, or suspected offences may be reported by the superintendent registrar.

Commencement Information

I26 Reg. 26 in force at 10.12.2014, see [reg. 1](#)

Correction of errors generally

27.—(1) An error in the conversion register may only be corrected in accordance with regulation 28 if the entry in the conversion register is complete.

(2) For the purpose of these Regulations, an entry in the conversion register is complete when the superintendent registrar has discharged the duty under regulation 18(1) (duty to register marriage resulting from conversion).

Commencement Information

I27 Reg. 27 in force at 10.12.2014, see [reg. 1](#)

Correction of errors

28. If—

- (a) one of the parties to the marriage or a superintendent registrar discovers any error in an entry in the conversion register which is complete, they must report it to the Registrar General giving such information as the Registrar General may require;
- (b) the Registrar General receives from one of the parties to the marriage or from a superintendent registrar satisfactory evidence relating to an error caused by the superintendent registrar when the information was recorded in the conversion register, the Registrar General may correct it, or may authorise the superintendent registrar to correct it, but the corrected entry is only to show the information as corrected;
- (c) the Registrar General receives from one of the parties to the marriage or from a superintendent registrar satisfactory evidence relating to an error caused by one of the parties when providing information to the superintendent registrar, the Registrar General may correct it, or may authorise the superintendent registrar to correct it, by making a marginal note to show the correct information, but the original entry must remain unchanged after that correction.

⁽²⁶⁾ 1911 c. 6.

⁽²⁷⁾ 1981 c. 45.

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

Commencement Information

I28 Reg. 28 in force at 10.12.2014, see [reg. 1](#)

PART 3

Consular Conversions

Countries or territories in which consular conversions may take place

29. A registration officer may facilitate the conversion of a civil partnership, where at least one of the parties is a United Kingdom national, in those countries or territories outside the United Kingdom which have notified the Secretary of State in writing that there is no objection to such conversions taking place in that country or territory and which have not subsequently revoked that notice.

Commencement Information

I29 Reg. 29 in force at 10.12.2014, see [reg. 1](#)

Conversion

30.—(1) The parties to a civil partnership are to be regarded as having converted their civil partnership into a marriage under this Part when—

- (a) the parties have completed the procedure mentioned in regulation 31;
- (b) at the invitation of the registration officer and in the presence of the registration officer and of each other, each of the parties has signed the conversion declaration; and
- (c) the registration officer has also signed the conversion declaration in the presence of the parties.

(2) No religious service is to be used at a conversion under this Part.

(3) As well as signing the conversion declaration, the parties may, if they wish, say the words of the declaration in regulation 32(d) to each other in the presence of the registration officer.

Commencement Information

I30 Reg. 30 in force at 10.12.2014, see [reg. 1](#)

Conversion procedure

31. Before the parties to a civil partnership can convert their civil partnership into a marriage under this Part, they must—

- (a) attend together in person before the registration officer in consular premises;
- (b) give the registration officer the details required to complete the conversion declaration;
- (c) provide a certified copy of the entry in the civil partnership register made on the formation of their civil partnership; and
- (d) provide such evidence as may be required by the registration officer to satisfy the registration officer of the details provided in the conversion declaration.

Commencement Information

I31 Reg. 31 in force at 10.12.2014, see [reg. 1](#)

Conversion declaration

32. In this Part of these Regulations, the “conversion declaration” means a document containing—

- (a) the following details pertaining to each of the parties—
 - (i) forenames;
 - (ii) surname;
 - (iii) nationality;
 - (iv) date of birth;
 - (v) sex;
 - (vi) address;
- (b) the date and place of the formation of the civil partnership;
- (c) a statement to the effect that the party has had, for the period of 28 days ending on the day on which the conversion declaration is signed, their usual residence within the consular district of the registration officer;
- (d) a declaration in the following terms: “I solemnly and sincerely declare that we are in a civil partnership with each other and I know of no legal reason why we may not convert our civil partnership into a marriage. I understand that on signing this document we will be converting our civil partnership into a marriage and you will thereby become my lawful wife [*or husband*]”; and
- (e) a declaration that the party believes all of the information and evidence given for the purposes of the conversion declaration is true.

Commencement Information

I32 Reg. 32 in force at 10.12.2014, see [reg. 1](#)

Duty to register conversions

33.—(1) The registration officer for the consular district, nominated for such purposes by the Secretary of State, must maintain a register, in which each registration officer must register the details included pursuant to regulation 32(a) and (b) on every conversion declaration signed by him or her in accordance with regulation 30(1)(c).

(2) Every nominated registration officer must, at such times as are determined by the Secretary of State, send to the Registrar General for England and Wales a copy of any entry in the register made since that information was last sent, and if there has been no entry over the relevant time period, confirmation of that fact.

(3) A certified copy of any entry in the register must be provided to any person upon request and on payment of the appropriate fee⁽²⁸⁾, by the Secretary of State until such time as a certified copy is available from the Registrar General for England and Wales and, at all other times, by the Registrar

⁽²⁸⁾ The fee for a certified copy provided by the Secretary of State is prescribed by Order under the Consular Fees Act 1980 (c. 23).

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

General for England and Wales upon payment of the same fee as would be charged for a copy of an entry in the conversion register in the custody of the Registrar General for England and Wales.

Commencement Information

I33 Reg. 33 in force at 10.12.2014, see [reg. 1](#)

Power to dispense with requirements

34.—(1) If the Secretary of State is satisfied that there are good reasons why the requirement as to residence in regulation 32(c) cannot be complied with, the Secretary of State may authorise the registration officer to amend this part of the conversion declaration to reduce the residence period.

(2) The Secretary of State must notify the registration officer in writing of the decision to authorise the reduction of the residence period and provide a statement of reasons for the decision.

(3) If the Secretary of State authorises the registration officer to amend the conversion declaration in accordance with paragraph (1), the registration officer must record the good reasons referred to in paragraph (1) and initial the amendment made to the conversion declaration.

Commencement Information

I34 Reg. 34 in force at 10.12.2014, see [reg. 1](#)

PART 4

Armed Forces Conversions

Interpretation of this Part

35. In this Part of these Regulations—

- (a) a reference to a country or territory includes a reference to the waters of a country or territory;
- (b) a reference to Her Majesty’s forces serving in a country or territory includes a reference to such forces serving in a ship in the waters of a country or territory;
- (c) A reference to a relevant civilian employed in a country or territory includes a reference to such a civilian employed in a ship in the waters of a country or territory.

Commencement Information

I35 Reg. 35 in force at 10.12.2014, see [reg. 1](#)

Countries or territories in which armed forces conversions may take place

36.—(1) An authorised person may facilitate the conversion of a civil partnership in those countries or territories outside the United Kingdom which have notified the Secretary of State in writing that there is no objection to such conversions taking place in that country or territory and which have not subsequently revoked that notice, where at least one of the parties to the civil partnership is—

- (a) a member of Her Majesty’s forces serving in the country or territory in which it is proposed they convert their civil partnership;
 - (b) a relevant civilian who is employed in that country or territory; or
 - (c) a child of a person falling within sub-paragraph (a) or (b), and whose home is with that person in that country or territory.
- (2) In a case where one person (“P”) treats, or has treated, another person (“C”), as a child of the family in relation to—
- (a) a marriage to which P is or was a party; or
 - (b) a civil partnership to which P is or was a party;
- C is to be regarded for the purposes of paragraph (1)(c) as the child of P.

Commencement Information

I36 Reg. 36 in force at 10.12.2014, see [reg. 1](#)

Conversion

- 37.**—(1) The parties to a civil partnership are to be regarded as having converted their civil partnership into a marriage under this Part when—
- (a) the parties have completed the procedure mentioned in regulation 38;
 - (b) at the invitation of the authorised person and in the presence of the authorised person and of each other, each of the parties has signed the conversion declaration; and
 - (c) the authorised person has also signed the conversion declaration in the presence of the parties.
- (2) As well as signing the conversion declaration, the parties may, if they wish, say the words of the declaration in regulation 39(c) to each other in the presence of the authorised person.

Commencement Information

I37 Reg. 37 in force at 10.12.2014, see [reg. 1](#)

Conversion procedure

- 38.** Before the parties to a civil partnership can convert their civil partnership into a marriage under this Part, they must—
- (a) attend together in person before the authorised person;
 - (b) give the authorised person the details required to complete the conversion declaration;
 - (c) provide a certified copy of the entry in the civil partnership register made on the formation of their civil partnership;
 - (d) provide such evidence as may be required by the authorised person to satisfy the authorised person of the details provided in the conversion declaration.

Commencement Information

I38 Reg. 38 in force at 10.12.2014, see [reg. 1](#)

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

Changes to legislation: There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014. (See end of Document for details)

Conversion declaration

39. In this Part of these Regulations, the “conversion declaration” means a document containing—

- (a) the following details pertaining to each of the parties—
 - (i) forenames;
 - (ii) surname;
 - (iii) nationality;
 - (iv) date of birth;
 - (v) sex;
 - (vi) address;
 - (vii) in respect of each of the parties to the civil partnership who falls within one of the descriptions in regulation 36(1)—
 - (aa) where that person is a member of Her Majesty’s forces serving in the country or territory in which the conversion is proposed to take place, the name and location of the unit in which that person is serving;
 - (bb) where that person is a relevant civilian employed in that country or territory, the name and location of the post where that person is employed;
 - (cc) where the person falls within the description in regulation 36(1)(c) (but does not fall within either sub-paragraph (a) or (b) of regulation 36(1)), the information referred to in sub-paragraph (aa) or (bb) (as the case may be) about each of that person’s parents who falls within the description in regulation 36(1)(a) or (b).
- (b) the date and place of the formation of the civil partnership;
- (c) a declaration in the following terms: “I solemnly and sincerely declare that we are in a civil partnership with each other and I know of no legal reason why we may not convert our civil partnership into a marriage. I understand that on signing this document we will be converting our civil partnership into a marriage and you will thereby become my lawful wife [*or husband*]”; and
- (d) a declaration that the party believes all of the information and evidence given for the purposes of the conversion declaration is true.

Commencement Information

I39 Reg. 39 in force at 10.12.2014, see [reg. 1](#)

Conversion followed by religious ceremony

40. Where a conversion under this Part is immediately to be followed by a ceremony under section 46 of the 1949 Act(**29**), the certificate of the parties’ marriage to be produced under section 46(1) is the signed conversion declaration.

(29) 1949 c. 76; section 46 was amended by section 17(4) of, and paragraph 13 of Schedule 7 to, the Marriage (Same Sex Couples) Act 2013.

Commencement Information

I40 Reg. 40 in force at 10.12.2014, see [reg. 1](#)

PART 5

Consequential amendments

41. Schedule 2 (which amends subordinate legislation in consequence of these Regulations) has effect.

Commencement Information

I41 Reg. 41 in force at 10.12.2014, see [reg. 1](#)

James Brokenshire
Minister of State
Home Office

Status:

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

Changes to legislation:

There are currently no known outstanding effects for the The Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014.