
STATUTORY INSTRUMENTS

2020 No. 1143

**The Marriage and Civil Partnership
(Northern Ireland) (No. 2) Regulations 2020**

PART 7

Amendments of Legislation

Matrimonial Causes (Northern Ireland) Order 1978

37.—(1) The Matrimonial Causes (Northern Ireland) Order 1978⁽¹⁾ is amended as follows.

(2) In Article 13 (grounds on which a marriage is void), after paragraph (2) insert—

“(3) Paragraph (4) applies in the case of a marriage which results from the conversion, or purported conversion, of a civil partnership into a marriage—

- (a) under Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020, or
- (b) under Part 3 or 4 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 where the civil partnership is a convertible Northern Ireland civil partnership as defined by regulation 2 of those Regulations.

(4) The marriage is void if (but only if) the civil partnership was void.”.

(3) After Article 14⁽²⁾ insert—

“Marriage converted from a civil partnership: when voidable

14A.—(1) Paragraphs (2) and (3) apply in the case of a marriage which results from the conversion of a civil partnership into a marriage—

- (a) under Part 3 of the Marriage and Civil Partnership (Northern Ireland) (No. 2) Regulations 2020, or
- (b) under Part 3 or 4 of the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 where the civil partnership is a convertible Northern Ireland civil partnership as defined by regulation 2 of those Regulations.

(2) Article 14 applies in relation to the marriage, but does so as if—

- (a) paragraphs (a) and (b) were omitted,
- (b) the reference in paragraph (c) to either party not validly consenting to the marriage were a reference to either party not validly consenting to the formation of the civil partnership, and

(1) [S.I. 1978/1045 \(N.I. 15\)](#).

(2) In Article 14, paragraph (d) was amended by [S.I. 1986/595 \(N.I. 4\)](#), and paragraphs (g) and (h) were inserted by the Gender Recognition Act 2004. In Article 16, paragraph (2) was substituted, and paragraphs (4) and (5) were inserted, by [S.I. 1989/677 \(N.I. 4\)](#), and amendments were made by the Gender Recognition Act 2004.

- (c) a reference in paragraphs (d) to (h) to the time of the marriage were a reference to the time the civil partnership was formed.
- (3) Article 16 applies in relation to the marriage as if—
 - (a) the reference in paragraph (1)(a) to having the marriage avoided were a reference to having the marriage avoided or (at times before the conversion) to obtaining a nullity order in respect of the civil partnership,
 - (b) a reference in paragraph (2), (4) or (5) to the date of the marriage were a reference to the date the civil partnership was formed, and
 - (c) the reference in paragraph (3) to the time of the marriage were a reference to the time the civil partnership was formed.”.