
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Marriage of Same Sex Couples (Conversion of Civil Partnership) Regulations 2014 (“the 2014 Regulations”) and the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016 (“the 2016 Regulations”).

Regulation 2 amends the 2014 Regulations, which establish the procedures for converting an England and Wales same-sex civil partnership (and certain other same-sex civil partnerships) into a marriage. These procedures include the signing of a conversion declaration and the registration of details in the conversion register. Regulation 2(2) and (3)(a) to (d) and (f) makes changes to the information that must be provided by the parties and recorded by the superintendent registrar on the conversion declaration. Regulation 2(4) to (6) makes consequential amendments. Regulation 3 is a related transitional provision. Its effect is that where the parties have already complied, before 4th May 2021, with the requirements in force at that time to provide information to a superintendent registrar, they do not need to have complied with the amended information requirements before being able to convert their civil partnership to a marriage.

Regulation 2(3)(e) revokes regulation 4(7) of the 2014 Regulations which makes provision, for the purposes of section 4A(3) of the Gender Recognition Act 2004, about the date on which a conversion application is made. Regulation 4(7) is no longer needed because section 4A(3) has been repealed by the Civil Partnership (Opposite-sex Couples) Regulations 2019 ([S.I. 2019/1458](#)).

Regulation 2(7) makes changes to the information that must be registered in the conversion register by the superintendent registrar when a civil partnership has been converted into a marriage.

Regulation 2(8) amends regulation 21 of the 2014 Regulations so that it no longer refers to certified extracts of entries in the civil partnership register. Regulation 21 currently provides, among other things, for certified extracts of entries in the civil partnership register relating to a civil partnership that has been converted into a marriage to be annotated before they are issued. However, the Civil Partnership (Registration Provisions) Regulations 2005 ([S.I. 2005/3176](#)) have been amended by the Civil Partnership (Registration and Records) (Amendment) Regulations 2021 ([S.I. 2021/410](#)) so that they no longer provide for the issuing of certified extracts.

Regulation 4 amends the 2016 Regulations, which set fees for applications and services in relation to the registration of births, deaths, marriages and civil partnerships in England and Wales. Regulation 4(2)(b) and (4)(h) and (i) removes references to the provision of certified extracts of entries in the civil partnership register, for the reason given above in relation to the amendments to the 2014 Regulations made by regulation 2(8). Regulation 4(4)(i)(ii) also corrects an erroneous reference to the conversion register so that it is a reference to the civil partnership register.

The remaining amendments to the 2016 Regulations are made (except in one respect) as a result of amendments to the Marriage Act 1949 made by the Registration of Marriages Regulations 2021 ([S.I. 2021/411](#)) and related provision made by the Registration of Marriages (Amendment) Regulations 2021 ([S.I. 2021/412](#)). The first of those instruments changes the way in which marriages are registered in England and Wales. The amendments to the 2016 Regulations remove fees that are no longer relevant and prescribe fees for entering notices of marriage in the new electronic marriage register, for searching indexes of entries in that register, for certified copies of such entries, for copies in electronic format of information contained in such entries and for the correction of such entries. In addition (and unrelated to the amendments made to the Marriage Act 1949) regulation 4(4)(j)(ii) (cc) removes an erroneous reference to the civil partnership register.

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

Regulation 5 makes transitional provision in connection with amendments made by regulation 4.
A full impact assessment has not been prepared for this instrument because no, or no significant, impact on the private, voluntary or public sector is foreseen.