Draft Order laid before Parliament under sections 213(5) and 259(8)(a) of the Civil Partnership Act 2004, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2005 No.

CIVIL PARTNERSHIP

The Civil Partnership Act 2004 (Overseas Relationships and Consequential, etc. Amendments) Order 2005

Made - - - -	*2005*
Coming into force - -	*5th December 2005*

Whereas a draft of this Order has been laid before and approved by a resolution of each House of Parliament;

Now therefore, the Secretary of State, in exercise of the powers conferred upon him by sections 213 and 259 of the Civil Partnership Act 2004(**1**), and, with respect to the provisions set out in Part 2 of this Order, with the consent of the Scottish Ministers and the Department of Finance and Personnel, hereby makes the following Order:

PART 1

GENERAL

Citation and commencement

1. This Order may be cited as the Civil Partnership Act 2004 (Overseas Relationships and Consequential, etc. Amendments) Order 2005 and shall come into force on 5th December 2005.

Extent

2.—(1) This Order does not extend to the Channel Islands or the Isle of Man.

(2) Subject to paragraph (1), any amendment made by this Order has the same extent as the provision subject to amendment.

(**1**) 2004 c. 33.

PART 2

OVERSEAS RELATIONSHIPS

Amendments of Schedule 20 to the Civil Partnership Act 2004

3. In Schedule 20 to the Civil Partnership Act 2004 (meaning of overseas relationship: specified relationships), in the table—

(a) in the first entry relating to Belgium, for "cohabitation légale (statutory cohabitation)" substitute "the relationship referred to as cohabitation légale, wettelijke samenwoning or gesetzliches zusammenwohnen",

(b) in the entry relating to Canada: Quebec, for "civil union" substitute "the relationship referred to as union civile or as civil union",

(c) in the entry relating to Finland, for "rekisteröity parisuhde (registered partnership)" substitute "the relationship referred to as rekisteröity parisuhde or as registrerad partnerskap",

(d) in the entry relating to France, for "pacte civile de solidarité (civil solidarity pact)" substitute "pacte civil de solidarité",

(e) in the first entry relating to the Netherlands, for "geregistreerde partnerschap (registered partnership)" substitute "geregistreerd partnerschap", and

(f) in the entries relating to Denmark, Germany, Iceland, Norway and Sweden, omit the words in brackets.

PART 3

CONSEQUENTIAL, ETC. AMENDMENTS

Consequential, etc. amendments

4.—(1) Schedule 1 contains amendments relating to registration matters with respect to civil partnerships.

(2) Schedule 2 contains an amendment of the Marriage Act 1949(**2**).

(3) Schedule 3 contains amendments of Church legislation.

(4) Schedule 4 contains further consequential amendments.

Parliamentary Under Secretary of State for
Women and Equality
Department of Trade and Industry

(**2**) 1949 c. 76.

The Scottish Ministers consent to the making of this Order

A member of the Scottish Executive

The Department of Finance and Personnel hereby consents.
Sealed with the Official Seal of the Department of Finance and Personnel

A Senior Officer of the
Department of Finance and Personnel

SCHEDULE 1 Article 4(1)

REGISTRATION MATTERS WITH RESPECT TO CIVIL PARTNERSHIPS

Savings Banks Act 1887

1. After section 10 of the Savings Banks Act 1887(**3**) insert—

"**Civil partnership certificates: England and Wales**

10A.—(1) This section applies, for the purposes of the Acts relating to the National Savings Bank and the Government Annuities Act 1929, where the formation of a civil partnership by—

(a) a depositor in the National Savings Bank, or

(b) a person insured under the 1929 Act,

is recorded in the register kept under section 30 of the Civil Partnership Act 2004.

(2) The registration authority for the area in which the civil partnership was formed must, on an application made in the prescribed manner and on payment of the prescribed fee, give the applicant, for the purposes mentioned in subsection (1), a certified copy of such entries in the register as are prescribed by regulations made under section 36 of the 2004 Act.

(3) "The prescribed manner" means—

(a) in accordance with any regulations made under section 36 of the 2004 Act, and

(b) in such form as is approved by the Registrar General for England and Wales.

(4) "The prescribed fee" means any fee prescribed under section 34(1) of the 2004 Act.

Civil partnership certificates: Scotland

10B.—(1) This section applies, for the purposes of the Acts relating to the National Savings Bank and the Government Annuities Act 1929, where particulars of the formation of a civil partnership by—

(a) a depositor in the National Savings Bank, or

(b) a person insured under the 1929 Act,

have been entered in a register under section 95(2) of the 2004 Act.

(2) The district registrar must, on an application made in such manner as is approved by the Registrar General for Scotland, give the applicant, for the purposes mentioned in subsection (1), a certificate of the formation of the civil partnership.

Civil partnership certificates: Northern Ireland

10C.—(1) This section applies, for the purposes of the Acts relating to the National Savings Bank and the Government Annuities Act 1929, where the formation of a civil partnership by—

(a) a depositor in the National Savings Bank, or

(b) a person insured under the 1929 Act,

is recorded in a register kept by virtue of section 159(1) of the 2004 Act.

(**3**) 1887 c. 40.

(2) The Registrar General for Northern Ireland or a registrar or deputy registrar of civil partnerships appointed under section 152(1) of the 2004 Act must, on an application made in the prescribed manner and on payment of the prescribed fee, give the applicant, for the purposes mentioned in subsection (1), a certificate of the formation of the civil partnership.

(3) "The prescribed manner" means—

(a) in accordance with any regulations made under section 159(1) of the 2004 Act, and

(b) in such form as is approved by the Department of Finance and Personnel.

(4) "The prescribed fee" means any fee prescribed under section 157 of the 2004 Act."

Registration Service Act 1953

2. In the Registration Service Act 1953(**4**), in section 19 (annual abstract), for "and marriages" substitute ", marriages and civil partnerships".

Public Records Act 1958

3. In paragraph 2 of Schedule 1 to the Public Records Act 1958(**5**) (departmental records), in sub-paragraph (2)(b), after "marriages" insert ", civil partnerships".

Social Security Administration Act 1992

4.—(1) In the Social Security Administration Act 1992(**6**), after section 124 insert—

"**Provisions relating to civil partnership: England and Wales**

124A.—(1) Regulations made by the Registrar General under section 36 of the Civil Partnership Act 2004 may provide for the furnishing by registration authorities, subject to the payment of the prescribed fee, of such information for the purposes mentioned in section 124(1) above as may be so prescribed.

(2) Where the civil partnership of a person is required to be ascertained or proved for those purposes, any person—

(a) on presenting to the registration authority for the area in which the civil partnership was formed a request in the prescribed manner in that behalf, and

(b) on payment of the prescribed fee,

shall be entitled to obtain a certified copy of such entries in the register as are prescribed by regulations made under section 36 of the 2004 Act.

(3) "The prescribed fee" means any fee prescribed under section 34(1) of the 2004 Act.

(4) "The prescribed manner" means—

(a) in accordance with any regulations made under section 36 of the 2004 Act, and

(b) in such form as is approved by the Registrar General for England and Wales,

and forms for making a request under subsection (2) shall, on request, be supplied without charge by registration authorities.

(**4**) 1953 c. 37.
(**5**) 1958 c. 51.
(**6**) 1992 c. 5.