



Marriage (Same Sex Couples) Act 2013

CHAPTER 30

MARRIAGE (SAME SEX COUPLES) ACT 2013

PART 1

MARRIAGE OF SAME SEX COUPLES IN ENGLAND AND WALES

Extension of marriage

- 1 Extension of marriage to same sex couples

Religious protection

- 2 Marriage according to religious rites: no compulsion to solemnize etc

Part 3 of the Marriage Act 1949

- 3 Marriage for which no opt-in necessary
- 4 Opt-in: marriage in places of worship
- 5 Opt-in: other religious ceremonies

Part 5 of the Marriage Act 1949

- 6 Armed forces chapels

The Marriage (Registrar General's Licence) Act 1970

- 7 Opt-in: "deathbed marriages"

The Church in Wales

- 8 Power to allow for marriage of same sex couples in Church in Wales

Other provisions relating to marriages of same sex couples

- 9 Conversion of civil partnership into marriage
- 10 Extra-territorial matters

Effect of extension of marriage

- 11 Effect of extension of marriage

PART 2

OTHER PROVISIONS RELATING TO MARRIAGE AND CIVIL PARTNERSHIP

- 12 Change of gender of married persons or civil partners
- 13 Marriage overseas
- 14 Marriage according to the usages of belief organisations
- 15 Review of civil partnership
- 16 Survivor benefits under occupational pension schemes

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FINAL PROVISIONS

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- 18 Orders and regulations
- 19 Interpretation
- 20 Extent
- 21 Short title and commencement

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- 1 Introduction
- 2 Registration of buildings
- 3 Shared buildings

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- 1 Scotland
- 2 Northern Ireland
- 3 Contrary provision

PART 2 — MARRIAGE TREATED AS CIVIL PARTNERSHIP: DISSOLUTION,
ANNULMENT OR SEPARATION

- 4 Order made in relation to civil partnership: validity in relation to marriage

PART 3 — ENGLAND AND WALES: “OVERSEAS RELATIONSHIPS” IN CIVIL
PARTNERSHIP ACT 2004

- 5 Marriage not an “overseas relationship” in England and Wales

SCHEDULE 3 — Interpretation of legislation

PART 1 — EXISTING ENGLAND AND WALES LEGISLATION

- 1 Interpretation of existing England and Wales legislation
- 2 Interpretation of legislation about couples living together as if married
- 3 (1) This paragraph applies to existing England and Wales legislation...

- 4 General
 - PART 2 — NEW ENGLAND AND WALES LEGISLATION
- 5 (1) This paragraph applies to provision made by—
 - SCHEDULE 4 — Effect of extension of marriage: further provision
 - PART 1 — PRIVATE LEGAL INSTRUMENTS
 - 1 Existing instruments
 - PART 2 — PRESUMPTION ON BIRTH OF CHILD TO MARRIED WOMAN
 - 2 Common law presumption
 - PART 3 — DIVORCE AND ANNULMENT OF MARRIAGE
 - 3 Divorce
 - 4 Annulment of marriage
 - PART 4 — MATRIMONIAL PROCEEDINGS
 - 5 Amendment of the Domicile and Matrimonial Proceedings Act 1973
 - 6 (1) Section 5 (jurisdiction of High Court and county courts)...
 - 7 Section 6 (miscellaneous amendments, transitional provision and savings), subsection (3):...
 - 8 Before Schedule 1 insert— SCHEDULE A1 Jurisdiction in relation to...
 - 9 Schedule 1 (staying of matrimonial proceedings in England and Wales:...
 - 10 Transitory provision until commencement of Presumption of Death Act 2013
 - PART 5 — STATE PENSIONS
 - 11 Category B retirement pension for married person
 - 12 Category B retirement pension for widows and widowers
 - 13 Category B retirement pension for widowers
 - 14 Graduated retirement benefit
 - 15 Adult dependency increases
 - 16 Converted civil partnerships
 - PART 6 — OCCUPATIONAL PENSIONS AND SURVIVOR BENEFITS
 - 17 Benefits dependent on marriage of same sex couples
 - 18 Pension Schemes Act 1993
 - 19 In section 8(2) (meaning of certain terms), in the definition...
 - 20 (1) Section 17 (minimum pensions for widows and widowers) is...
 - 21 (1) Section 24D (survivors' benefits) is amended as follows.
 - 22 (1) Section 37 (alteration of rules of contracted-out schemes) is...
 - 23 Before section 39 insert— Regulations about relevant gender change cases...
 - 24 In section 47 (further provisions about effect of entitlement to...
 - 25 In section 84 (basis of revaluation), in subsection (5), after...
 - 26 In Schedule 3 (methods of revaluing accrued pension benefits), in...
 - PART 7 — PROVISIONS WHICH LIMIT EQUIVALENCE OF ALL MARRIAGES ETC
 - 27 Contrary provision
 - SCHEDULE 5 — Change of gender of married persons or civil partners
 - PART 1 — APPLICATIONS BY MARRIED PERSONS AND CIVIL PARTNERS
 - 1 Introduction
 - 2 Evidence
 - 3 Successful applications
 - 4 Issue of full certificate after interim certificate: applicant married
 - 5 Applications by both civil partners
 - 6 Errors in certificates
 - 7 Applications: supplementary

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- 8 Appeals etc
 - 9 Registration
 - 10 Change in gender of party to marriage
 - 11 Change in gender of civil partners
 - 12 Foreign gender change and marriage
 - 13 Prohibition on disclosure of information
 - 14 Interpretation
 - PART 2 — ALTERNATIVE GROUNDS FOR GRANTING APPLICATIONS FOR GENDER RECOGNITION CERTIFICATES
 - 15 Introduction
 - 16 Alternative grounds for granting applications
 - 17 After section 3 insert— Alternative grounds for granting applications
 - (1) This section applies to an application under section 1(1)(a)...
 - 18 Evidence for granting applications on alternative grounds
 - 19 After section 3A (inserted by paragraph 17) insert— Evidence for...
 - 20 Membership of Panels determining applications on alternative grounds
- SCHEDULE 6 — Marriage overseas
- PART 1 — CONSULAR MARRIAGE UNDER UK LAW
 - 1 Provision for consular marriage
 - 2 Refusal by registration officer
 - 3 No religious service
 - 4 Treatment of marriage as taking place in part of UK for certain purposes
 - 5 Validity of consular marriage
 - 6 Interpretation
 - PART 2 — MARRIAGE UNDER FOREIGN LAW: CERTIFICATES OF NO IMPEDIMENT
 - 7 Provision for certificates of no impediment
 - PART 3 — MARRIAGE OF FORCES PERSONNEL UNDER UK LAW
 - 8 Provision for marriage of armed forces personnel
 - 9 Religious services at forces marriages of same sex couples
 - 10 Treatment of marriage as taking place in part of UK for certain purposes
 - 11 Validity of forces marriage
 - 12 Interpretation
 - PART 4 — GENERAL PROVISIONS
 - 13 Parliamentary scrutiny
 - 14 Particular kinds of provision
 - 15 Interpretation
- SCHEDULE 7 — Transitional and consequential provision etc
- PART 1 — TRANSITIONAL AND TRANSITORY PROVISION
 - 1 Approval of premises for civil weddings
 - PART 2 — MINOR AND CONSEQUENTIAL AMENDMENTS
 - 2 Marriage Act 1949 (c. 76)
 - 3 Section 3 (marriages of persons under 18), subsection (1): after...
 - 4 (1) Section 25 (void marriages) is amended as follows.
 - 5 Section 27A (additional information required in certain cases), subsection (1):...
 - 6 After section 27C insert— Additional information required for certain marriages...
 - (1) Section 28A (power to require evidence) is amended in...
 - (1) Section 41 (registration of buildings) is amended in accordance...
 - (1) Section 42 (cancellation of registration and substitution of another...

- 10 (1) Section 43 (appointment of authorised persons) is amended in...
- 11 Section 44 (solemnization of marriage in registered building),
subsection (2)(b):...
- 12 Section 45A (solemnization of certain marriages), subsection (1): after
“section...
- 13 (1) Section 46 (register office marriage followed by religious
ceremony)...
- 14 Section 48 (proof of certain matters not necessary to validity...
- 15 After section 49 insert— Void marriages: additional provision about
same...
- 16 Section 53, paragraph (c): for the words from “religion” to...
- 17 Section 69 (licensing of chapels for marriages according to rites...
- 18 Section 70 (registration of chapels for marriages otherwise than
according...
- 19 (1) Section 75 (offences relating to solemnization of marriages) is...
- 20 (1) Section 78 (interpretation) is amended in accordance with this...
- 21 (1) Schedule 4 (provisions of Act which are excluded or...
- 22 Marriage (Registrar General’s Licence) Act 1970
- 23 Section 1 (marriages which may be solemnized by Registrar General’s...
- 24 Section 2 (notice of marriage), after subsection (3) insert—
- 25 After section 13 insert— Void marriages: additional provision about
same...
- 26 Matrimonial Causes Act 1973 (c. 18)
- 27 Section 11 (grounds on which a marriage is void): omit...
- 28 Public Order Act 1986 (c. 64)
- 29 Social Security Contributions and Benefits Act 1992 (c. 4)
- 30 Section 48 (use of former spouse’s or civil partner’s contributions):...
- 31 Pension Schemes Act 1993 (c. 48)
- 32 Section 99 (trustees’ duties after exercise of option), subsection (3)(b):...
- 33 Civil Partnership Act 2004 (c. 33)
- 34 Section 1 (civil partnership), subsection (3)— (a) after “only” insert...
- 35 Section 4 (parental etc consent where proposed civil partner under...
- 36 Section 210 (registration at British consulates etc), subsection (6),
paragraph...
- 37 Human Fertilisation and Embryology Act 2008 (c. 22)
- 38 (1) Section 35 (woman married at time of treatment) is...
- 39 Section 40 (embryo transferred after death of husband etc who...
- 40 (1) Section 42 (woman in civil partnership at time of...
- 41 (1) Section 46 (embryo transferred after death of civil partner...
- 42 Equality Act 2010 (c. 15)
- 43 (1) Section 23 (comparison by reference to circumstances) is amended...
- 44 Schedule 3 (services and public functions: exceptions): for the title...
- 45 Schedule 9 (work: exceptions), Part 1 (occupational requirements),
paragraph 2...