
STATUTORY INSTRUMENTS

2014 No. 3229

**CONSTITUTIONAL LAW
DEVOLUTION, SCOTLAND
CIVIL PARTNERSHIP
MARRIAGE**

The Marriage and Civil Partnership (Scotland) Act
2014 and Civil Partnership Act 2004 (Consequential
Provisions and Modifications) Order 2014

Made - - - - 4th December 2014

Coming into force in accordance with article 1(2)

**THE MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT
2014 AND CIVIL PARTNERSHIP ACT 2004 (CONSEQUENTIAL
PROVISIONS AND MODIFICATIONS) ORDER 2014**

PART 1

INTRODUCTION

1. Citation and commencement
2. Interpretation
3. Extent

PART 2

CONSEQUENTIAL PROVISIONS

4. Meaning of marriage and related expressions: Scotland
5. Contrary provision to Schedule 1 and consequential modification of enactments etc. as a result

PART 3

SCOTTISH SAME SEX MARRIAGE IN NORTHERN IRELAND

6. Treatment of Scottish same sex marriage in Northern Ireland

Changes to legislation: There are outstanding changes not yet made by the [legislation.gov.uk](https://www.legislation.gov.uk) editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

7. Recognition of a dissolution of a deemed civil partnership

PART 4

STATE PENSIONS

8. Category B retirement pension for married person
9. Category B retirement pension for widows and widowers
10. Category B retirement pension for widowers
11. Adult dependency increases
12. Converted or changed civil partnerships

PART 5

MARRIAGE OVERSEAS

CHAPTER 1

Consular and armed forces marriage between civil partners - general

13. Meaning of civil partnership
14. Effect of consular or armed forces marriage between civil partners
15. Modification of the 2004 Act

CHAPTER 2

Consular marriage between civil partners

16. Interpretation
17. Countries or territories in which consular marriage between civil partners may take place
18. Consular change of civil partnership into marriage
19. Consular declaration
20. Consular change procedure
21. Duty to register civil partnerships changed into marriages
22. Power to dispense with requirements

CHAPTER 3

Armed forces marriage between civil partners

23. Interpretation
24. Countries or territories in which armed forces marriage between civil partners may take place
25. Armed forces change of civil partnership into marriage
26. Armed forces declaration
27. Armed forces change procedure
28. Duty to register civil partnerships changed into marriages

PART 6

29. Consequential modifications
Signature

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 1 — MEANING OF MARRIAGE AND RELATED EXPRESSIONS:
SCOTLAND

PART 1

1. Meaning of marriage and related expressions: Scotland

PART 2 — GENERAL INTERPRETATION

2. Interpretation: existing Scottish legislation
3. Interpretation: new Scottish legislation
4. Definitions

SCHEDULE 2 — CONTRARY PROVISION

PART 1 — CONTRARY PROVISION (GENERAL)

1. Contrary provision: general
2. Contrary provision: EU instruments
3. Contrary provision: private Acts

PART 2 — DISAPPLICATION OF SCHEDULE 1 IN RESPECT OF ROYAL
TITLES AND PEERAGES

4. Provision disapplying the effect of Schedule 1 etc. in respect of the
common law

PART 3 — ENACTMENTS ETC. (GENERAL)

5. Provision to which Schedule 1 is subject
6. Provision disapplying the effect of Schedule 1 in respect of enactments

SCHEDULE 3 — CONSEQUENTIAL MODIFICATIONS TO ENACTMENTS
ETC. AS A RESULT OF CONTRARY PROVISION MADE BY
SCHEDULE 2

ENACTMENTS ETC. (GENERAL)

1. Pensions (Increase) Act 1971
2. Pensions Increase (Review) Orders 1979 to 1990
3. Occupational Pension Schemes (Contracting-out) Regulations 1996
4. Occupational Pension Schemes (Modification of Schemes) Regulations
2006

SCHEDULE 4 — CONSEQUENTIAL MODIFICATION OF THE SOCIAL
SECURITY PENSIONS ACT 1975 AND THE SOCIAL
SECURITY CONTRIBUTIONS AND BENEFITS ACT 1992

1. Social Security Pensions Act 1975
2. Social Security Contributions and Benefits Act 1992

SCHEDULE 5 — CONSEQUENTIAL MODIFICATIONS TO PRIMARY
LEGISLATION

1. Pensions Commutation Act 1871
2. Local Government (Emergency Provisions) Act 1916
3. Reserve and Auxiliary Forces (Protection of Civil Interests) Act 1951
4. Transport Act 1962
5. National Insurance Act 1965
6. Transport Act 1978
7. Pneumoconiosis etc. (Workers' Compensation) Act 1979
8. Child Support Act 1991
9. Social Security Administration Act 1992

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Marriage and Civil Partnership (Scotland) Act 2014* and *Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

10. Trade Union and Labour Relations (Consolidation) Act 1992
11. Pension Schemes Act 1993
12. Jobseekers Act 1995
13. Pensions Act 1995
14. State Pension Credit Act 2002
15. Gender Recognition Act 2004
16. Asylum and Immigration (Treatment of Claimants, etc.) Act 2004
17. Welfare Reform Act 2007
18. Human Fertilisation and Embryology Act 2008
19. Equality Act 2010
20. Welfare Reform Act 2012
21. Marriage (Same Sex Couples) Act 2013

SCHEDULE 6 — CONSEQUENTIAL MODIFICATIONS TO SECONDARY LEGISLATION

1. Merchant Shipping (Maintenance of Seaman's Dependants) Regulations 1972
2. Social Security Benefit (Dependency) Regulations 1977
3. Social Security (Graduated Retirement Benefit) (No. 2) Regulations 1978
4. Merchant Shipping (Returns of Births and Deaths) Regulations 1979
5. Income Support (General) Regulations 1987
6. Social Security (Claims and Payments) Regulations 1987
7. Judicial Pensions (Preservation of Benefits) Order 1988
8. Judicial Pensions (Requisite Benefits) Order 1988
9. Child Support (Maintenance Assessments and Special Cases) Regulations 1992
10. Child Support (Collection and Enforcement) Regulations 1992
11. Jobseeker's Allowance Regulations 1996
12. Occupational Pension Schemes (Contracting-out) Regulations 1996
13. Contracting-out (Transfer and Transfer Payment) Regulations 1996
14. Social Security Benefit (Computation of Earnings) Regulations 1996
15. Social Security (Child Maintenance Bonus) Regulations 1996
16. Occupational Pension Schemes (Discharge of Liability) Regulations 1997
17. Working Time Regulations 1998
18. Social Security and Child Support (Decisions and Appeals) Regulations 1999
19. Social Fund Winter Fuel Payment Regulations 2000
20. Child Support (Maintenance Calculations and Special Cases) Regulations 2001
21. Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001
22. Open-Ended Investment Companies Regulations 2001
23. State Pension Credit Regulations 2002
24. Pension Protection Fund (Compensation) Regulations 2005
25. Financial Assistance Scheme Regulations 2005
26. Social Fund Maternity and Funeral Expenses (General) Regulations 2005
27. Housing Benefit Regulations 2006
28. Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations 2006
29. Pension Protection Fund (General and Miscellaneous Amendments) Regulations 2006
30. Naval, Military and Air Forces Etc. (Disablement and Death) Service Pensions Order 2006

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

31. Occupational Pension Schemes (Modification of Schemes) Regulations 2006
32. Employment and Support Allowance Regulations 2008
33. Reserve Forces Non Regular Permanent Staff (Pension and Attributable Benefits Schemes) Regulations 2011
34. Employment and Support Allowance Regulations 2013
35. Pensions Increase (Review) Orders 1991 to 2009 and 2011 to 2013

Explanatory Note

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marriage and Civil Partnership (Scotland) Act 2014 and Civil Partnership Act 2004 (Consequential Provisions and Modifications) Order 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 4 para. 2(8) revoked by [S.I. 2015/1985 art. 44\(e\)](#)
- Sch. 4 para. 2(9) revoked by [S.I. 2015/1985 art. 44\(e\)](#)
- Sch. 4 para. 2(10) revoked by [S.I. 2015/1985 art. 44\(e\)](#)
- Sch. 4 para. 2(14) revoked by [S.I. 2015/1985 art. 44\(e\)](#)
- art. 3(2) words inserted by [S.I. 2019/1514 reg. 52](#)
- art. 8 revoked by [S.I. 2015/1985 art. 44\(a\)](#)
- art. 9 revoked by [S.I. 2015/1985 art. 44\(b\)](#)
- art. 10 revoked by [S.I. 2015/1985 art. 44\(c\)](#)
- art. 12 revoked by [S.I. 2015/1985 art. 44\(d\)](#)
- art. 13 words inserted by [S.I. 2022/74 Sch. 2 para. 2\(2\)](#)
- art. 15 revoked by [S.I. 2022/74 Sch. 2 para. 2\(3\)](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- art. 6(1A) inserted by [S.I. 2019/1514 reg. 10\(3\)\(b\)](#)