

SCHEDULE 1

MEANING OF MARRIAGE AND RELATED EXPRESSIONS: SCOTLAND

PART 1

Meaning of marriage and related expressions: Scotland

1.—(1) In the reserved law of Scotland, marriage has the same effect in relation to same sex couples as it has in relation to opposite sex couples.

(2) The reserved law of Scotland (including all Scottish legislation whenever passed or made) has effect in accordance with paragraph (1).

(3) For provision about limitations on the effect of paragraph 1(1) and (2) and paragraphs 2 to 4 of this Schedule, see paragraphs 1 to 3 of Schedule 2.

(4) In this Schedule, the “reserved law of Scotland” means the law of Scotland but not law that would, if contained in an Act of the Scottish Parliament, be within the legislative competence of that Parliament.

(5) In this Schedule, an expression set out in an entry in the first column of this table has the meaning given in the corresponding entry in the second column.

<i>Expression</i>	<i>Meaning</i>
primary legislation	an Act of Parliament
subordinate legislation	any Order in Council, order, rules, regulations, schemes, warrants, byelaws and other instruments made under primary legislation
Scottish legislation	primary legislation and subordinate legislation which forms part of the law of Scotland (whether or not it also forms part of the law of another jurisdiction) but not legislation that would, if contained in an Act of the Scottish Parliament, be within the legislative competence of that Parliament

Commencement Information

II Sch. 1 para. 1 in force at 16.12.2014, see [art. 1\(2\)](#)

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 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\(3\)\(b\)](#)