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STATUTORY INSTRUMENTS

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**2019 No. 1458**

**The Civil Partnership (Opposite-sex Couples) Regulations 2019**

**PART 6**

Miscellaneous amendments

**Registration of civil partnerships abroad**

**38.**—(1) The Civil Partnership (Registration Abroad and Certificates) Order 2005<sup>(1)</sup> is amended as follows.

(2) In article 2<sup>(2)</sup>—

- (a) in paragraph (1), omit the definition of “overseas relationship”;
- (b) omit paragraph (2).

(3) In article 4—

- (a) in paragraph (4), after “Schedule 20 to the Act”<sup>(3)</sup> insert “(as it forms part of the law of the relevant part of the United Kingdom)”;
- (b) after paragraph (4) insert—

“(4A) If the relevant part of the United Kingdom is England and Wales, a country or territory is treated by paragraph (4) as having sufficient facilities only if—

- (a) in the case of proposed civil partners who are of the same sex under the law of that country or territory, the country or territory is listed in Part 1 of Schedule 20 to the Act (as it forms part of the law of England and Wales);
- (b) in the case of proposed civil partners who are of the opposite sex under that law, the country or territory is listed in Part 2 of that Schedule.

(4B) For the purposes of paragraphs (2)(d) and (4), an “overseas relationship” is a relationship that would be an overseas relationship within the meaning given by section 212 of the Act<sup>(4)</sup> (as it forms part the law of the relevant part of the United Kingdom).”;

- (c) in paragraph (5), for “purpose of paragraph (2)(b) and paragraph (3)” substitute “purposes of this article”.

(4) In article 17<sup>(5)</sup>—

- (a) after paragraph (1) insert—

“(1A) Where the person making the application under paragraph (1) is resident outside the United Kingdom, the person must specify in the application the part of the United Kingdom to which the certificate is to relate.”;

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(1) [S.I. 2005/2761](#).

(2) Articles 2 and 4 were amended by [S.I. 2012/3063](#).

(3) “The Act” is defined in article 2 as the Civil Partnership Act 2004.

(4) Section 212 of the Civil Partnership Act 2004 was amended by [S.I. 2014/560](#).

(5) Article 17 was amended by [S.I. 2012/3063](#), [2014/1107](#).

(b) after paragraph (5) insert—

“(6) In this article—

“impediment” means an impediment under the law of the relevant part of the United Kingdom;

“overseas relationship” means a relationship that would be an overseas relationship within the meaning given by section 212 of the Act as it forms part of the law of the relevant part of the United Kingdom;

“relevant part of the United Kingdom” means—

- (a) if the person making the application under paragraph (1) is resident within the United Kingdom, the part of the United Kingdom in which the person resides, or
- (b) if the person making the application under paragraph (1) is resident outside the United Kingdom, the part of the United Kingdom specified under paragraph (1A).”.