

SCHEDULE 1

CONSEQUENTIAL MODIFICATIONS TO PRIMARY LEGISLATION

Marriage (Same Sex Couples) Act 2013

4.—(1) Schedule 6 (marriage overseas) to the Marriage (Same Sex Couples) Act 2013⁽¹⁾ is amended as follows.

(2) In paragraph 1 (provision for consular marriage), after sub-paragraph (2), insert—

“(3) For the purposes of sub-paragraph (2)(b), two people who are in a qualifying civil partnership with each other are to be treated as not having been eligible to marry each other in Scotland.

(4) In sub-paragraph (3) “qualifying civil partnership” has the meaning given by section 5(6) of the Marriage (Scotland) Act 1977⁽²⁾.”.

(3) In paragraph 8 (provision for marriage of armed forces personnel), after sub-paragraph (3), insert—

“(4) For the purposes of sub-paragraph (2)(b), two people who are in a qualifying civil partnership with each other are to be treated as not having been eligible to marry each other in Scotland.

(5) In sub-paragraph (4) “qualifying civil partnership” has the meaning given by section 5(6) of the Marriage (Scotland) Act 1977.”.

⁽¹⁾ 2013 c. 30.

⁽²⁾ Subsection (6) was inserted by the Marriage and Civil Partnership (Scotland) Act 2014, section 8(3)(b) and substituted by article 3(2) of S.S.I. 2015/371.