

EXECUTIVE COUNCIL

PUBLIC

Title:	Family Law Review – Marriage Reform: Regulations
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Responsible Director:	Attorney General
Report Author:	Crown Counsel (Civil & Child Protection)
Portfolio Holder:	MLA Roger Edwards
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Publication:	Yes
Previous papers:	32/17 (Family law review – marriage reform)
List of Documents:	Appendix A :- Registration of Marriages (Amendment) Regulations 2017 Appendix B :- Registration of Civil Partnerships Regulations 2017

1. Recommendations

1.1 Honourable Members are recommended to approve the attached regulations –

- (a) Registration of Marriages (Amendment) Regulations 2017 (in the form attached at Appendix A); and
- (b) Registration of Civil Partnerships Regulations 2017 (in the form attached at Appendix B). and
- (c) Authorise the Attorney General to correct any typographic errors.

2. Additional Budgetary Implications

None

3. Executive Summary

3.1 The regulations attached relate to the existing Registration of Marriages Regulations 1999 and create new regulations under the Registration of Civil Partnership Regulations 2017.

- 3.2 These regulations are necessary to (a) amend an existing form (Form 3) under the Registration of Marriages Regulations, and (b) to create regulations for the administrative process for civil partnerships.

4. Background

- 4.1 MLAs voted in favour of passing the Marriage (Amendment) Bill 2017 at the North Arm Legislative Assembly on 30th March 2017. The Bill provides for regulations to be made and these are necessary to establish the procedure and administrative process.
- 4.2 The proposed regulations attached to this paper will create a civil partnership procedure that is very similar to the marriage procedure, except that a civil partnership will not require solemnisation with a prescribed vow. For a civil partnership to be valid the parties need to sign the civil partnership document in the presence of the Registrar General, or a registrar and these will not be solemnised.

5. Options and Reasons for Recommending Relevant Option

- 5.1 The regulations are necessary to establish a procedure and administrative process for civil partnerships. The regulations also provide for an amendment to the Registration of Marriages Regulations and amend the existing “Form 3” which is used for the purpose of declaring marriages of certain persons related by affinity. This ensures the forms are consistent with same sex marriages or civil partnerships.

6. Resource Implications

- 6.1 The Registry will need to update the forms and entry books that are used for marriage. A new entry book will be needed for civil partnerships. The Registry’s computer database will need updating accordingly as well.
- 6.2 The Registrar has been in touch with the database creators and they have indicated updating will be a quick process that can take place as soon as the instruction is received. It is also possible to manually amend the certificates without the database having been updated so any delay with the database will not affect the ability to carry out civil partnerships or same sex marriages.

7. Legal Implications

- 7.1 The Registration of Marriages Regulations 1999 will be amended and the Registration of Civil Partnership Regulations 2017 will be made.

8. Environmental & Sustainability Implications

None

9. Significant Risks

None

10. Consultation

10.1 A public consultation was commenced in October 2015 and the results of the consultation were provided by way of a report to ExCo in January 2016, who subsequently instructed the Attorney General to draft legislation. The consultation found that 90% of respondents were in favour of same sex marriage and 94% were in favour of the introduction of civil partnerships.

11. Communication

11.1 The change to the legislation has already been publicised in the local media. The PR and Media team are working on further publicity around the legislative changes to inform international media outlets. The Registrar General is aware of the proposed regulations and needs to be made aware of the date these will come into force, to ensure systems are in place by that time.

Schedule of suggested deletions to enable publication of paper

No suggested deletions

I, the above named, declare that I and the other person
(name and surname)

named above are related in that he/she is the

*.....

I further declare that the younger of us has not at any time before attaining the age of eighteen years been a child of the family in relation to the other.

Signed In the presence of
.....
(signature)

Date Official designation
.....

*Insert whichever of the following applies —

- Child of my former civil partner
- Child of my former spouse
- Former civil partner of my grandparent
- Former civil partner of my parent
- Former spouse of my grandparent
- Former spouse of my parent
- Grandchild of my former civil partner
- Grandchild of my former spouse”

Made 2017

C. Roberts C.V.O.,
Governor.

EXPLANATORY NOTE
(not part of the regulations)

These regulations amend the Registration of Marriages Regulations.

Form 3 is amended to make the declaration for marriages of certain persons related by affinity gender-neutral to be able cover same sex marriages.

(b) the Registrar has issued a licence for the registration of a civil partnership under regulation 7; and

(c) the relevant fee specified under regulation 19 is paid in relation to that notice.

(2) Subject to regulation 7(2) the Registrar General may grant a licence under these Regulations not earlier than twenty-one days, nor later than three months after, the receipt by him or her of notice of the civil partnership.

5. Form of notice of civil partnership

(1) Notice of an intended civil partnership as required under section 24D must be given in Form 1CP.

(2) When notice of a civil partnership has been given to the Registrar General and has been entered in the civil partnership notice book, the Registrar must suspend or affix in some conspicuous place in, or immediately outside, the Registrar's office for twenty-one successive days next after the date on which the notice was entered in the civil partnership book, the notice of an intended civil partnership, or an exact copy signed by the Registrar of the particulars as entered in the civil partnership notice book.

6. Declaration to accompany notice of civil partnership

(1) The notice of an intended civil partnership must be accompanied by a solemn declaration in Form 2CP, in the body or at the foot of the notice, made and signed at the time of the giving of the notice by the person by whom the notice is given and attested as follows —

(a) that the person believes that there is no impediment of kindred or alliance or other lawful hindrance to the civil partnership;

(b) that both of the parties have for the period of seven days immediately before the giving of the notice had their usual places of residence within the Falkland Islands;

(c) where one of the parties to the civil partnership is under the age of eighteen and is not a widower or widow, that the consent of the person or persons whose consent is required under section 7 of the Ordinance has been obtained, that the necessity of obtaining any such consent has been dispensed with under that section, that the court has consented to the civil partnership under that section, or that there is no person whose consent to the civil partnership is so required.

(2) Any declaration must be signed by the person giving the notice of the intended civil partnership in the presence of the Registrar General, or an assistant of the Registrar General, or of a person whose name appears upon the electoral register, and the Registrar General, the assistant, or the person whose name appears on the electoral register, as the case may be, must attest the declaration by adding his or her name and description, and in the case of a person other than the Registrar General or an assistant of the Registrar General, that person's address.

7. Registrar’s licence

(1) At the expiration of the period of twenty-one days referred to in regulation 5(2), the Registrar General must grant the licence in Form 3CP unless any lawful impediment to the issue of the licence has been shown to the satisfaction of the Registrar General.

(2) Except as may be authorised by a special licence or by an extraordinary licence, no civil partnership may be registered until after the expiration of twenty-one days after the date on which notice of the intended civil partnership was entered in the civil partnership notice book.

(3) The fee set out under regulation 19 must be paid to the Registrar General on the grant of a licence.

8. Registrar’s extraordinary licence

(1) Subject to this regulation, the Registrar General may grant an extraordinary licence authorising the registration of a civil partnership between the persons named in that licence.

(2) The Registrar General may only grant an extraordinary licence if he or she is satisfied that one or both of the parties to the intended civil partnership to which the licence relates is in imminent danger of death.

(3) Subject to sub-regulation (4), sections 9 to 14, and 16 to 20 of the Ordinance apply in respect of civil partnerships or civil partnerships intended to be registered under authority of an extraordinary licence and in those sections a reference to marriage includes a reference to a “civil partnership” and “solemnisation” includes “registration of a civil partnership”.

(4) A person applying for the grant of an extraordinary licence must give notice as required by section 24D(1)(a) of the Ordinance and regulation 5, incorporating the declaration required by regulation 6, but instead of giving notice of the intended time and place of the registration of the civil partnership may state that the civil partnership is desired to be authorised by an extraordinary licence.

(5) Where notice of the intended civil partnership has already been given under regulation 6, with the intention that it will be registered under the authority of a licence granted by the Registrar General under regulation 7, either of the parties to the intended civil partnership may request the Registrar General to grant an extraordinary licence under this regulation and subject to sub-regulation (6) the Registrar General if he or she is satisfied that one or both of the parties is in imminent danger of death may grant that licence.

(6) An extraordinary licence may not be granted under this regulation —

(a) if the Registrar General believes that there is any lawful impediment to the civil partnership; or

(b) if the civil partnership has been and continues to be forbidden pursuant to section 14 of the Ordinance (as it applies to civil partnerships).

(7) A civil partnership may not be registered under the authority of a licence granted under this regulation after the expiration of fourteen days from the date of the grant of the licence.

9. Extraordinary licence: form of application and form of licence

(1) Where it is desired that the civil partnership be authorised by extraordinary licence granted by the Registrar General under regulation 8, the application set out in Form 4CP must be used so as to state that the civil partnership is desired to be authorised by an extraordinary licence.

(2) The Registrar General must grant an extraordinary licence in Form 5CP on the payment of a fee specified under regulation 19.

10. Grant of special licences by the Governor

(1) Subject to the provisions of this regulation, the Governor may grant a special licence to the persons named in the special licence authorising the registration of a civil partnership between those persons.

(2) The Governor must not grant a special licence which, if granted, would have the effect of authorising the registration of a civil partnership —

(a) to which any provision of section 5 relates (prohibited degrees); or

(b) where either of the parties is under the age of eighteen.

(3) Any person of or over the age of eighteen years and who is free to register or enter into a civil partnership may apply for a special licence under this regulation.

(4) An application for a special licence —

(a) must be in writing, signed by the applicant;

(b) must be sent or delivered to the Registrar General;

(c) must be accompanied by —

(i) a statutory declaration, made before any person authorised under the law of the Falkland Islands or the place it is made to administer oaths, having the contents required by sub-regulation (5); and

(ii) the fee specified under regulation 19.

(5) The statutory declaration mentioned under sub-regulation (4)(c)(i) must contain the following —

(a) a statement of the full name of the applicant and of the other party to the intended civil partnership (“the other party”) and of any other name by which either of them has ever been known;

(b) the addresses at which the applicant and the other party respectively ordinarily reside (which need not be within the Falkland Islands) and if either of them has been resident at the address so stated in respect of him or her less than three months, any other address at which he or she has ordinarily resided within that period of three months;

(c) the date, place and country of birth of the applicant and of the other party;

(d) a statement either —

(i) that there is no affinal relationship (relationship by blood or by virtue of marriage or adoption) between the applicant and the other party; or

(ii) a statement of any such relationship that exists between the applicant and the other party;

(e) particulars of any previous marriage or civil partnership of either of the parties and the manner in which the previous marriage or civil partnership came to an end.

(6) The Registrar General may make such enquiries, consistent with dealing with the application with expedition, as the Registrar thinks advisable to make in the circumstances of the case, and subject to the findings of the enquiry, where the Registrar General has no reason to believe that the civil partnership to which the application relates would be void, the Registrar General must forward the application to the Governor with a recommendation that it be granted.

(7) Section 13 (*caveat against issue of licence*) of the Ordinance has effect in relation to the grant of a special licence for civil partnerships as it does in respect of a licence granted by the Registrar General in that section.

(8) Subject to the requirements of this regulation, the Governor acting in his or her discretion may grant or refuse an application for a special licence as the Governor sees fit.

11. Form of instructions issued by the Registrar General

(1) Where the civil partnership is to be conducted other than by the Registrar General the Registrar General must at the time of grant of the licence hand or send to the person to whom it is issued printed instructions in the prescribed form for the due registration of the civil partnership.

(2) The form of instructions to be issued under sub-regulation (1) must be in Form 6CP.

Part III — Registration of a civil partnership

12. Form of civil partnership document

The civil partnership document must be in Form 7CP.

13. Manner of completion of Form 7CP

(1) Before the parties to a civil partnership sign the civil partnership document the Registrar General must, subject to paragraph (4), enter the particulars required in each column of Form 7CP.

(2) In column 4 the Registrar General must enter the condition of the parties to the civil partnership in the following manner —

(a) if a party has not previously been married or been a party to a civil partnership, the Registrar General must enter the word “Single”;

(b) if a party's previous marriage was terminated by death the Registrar General must enter the word "Widower" or, as the case may be, "Widow";

(c) if a party's previous civil partnership was terminated by death the Registrar General must enter the words "Surviving civil partner";

(d) if a party's previous marriage was annulled on the ground that the marriage was voidable, the Registrar General must enter the words "Previous marriage annulled";

(e) if a party's previous civil partnership was annulled on the ground that the civil partnership was voidable, the Registrar General must enter the words "Previous civil partnership annulled";

(f) if a party's previous marriage was terminated by divorce the Registrar General must enter the words "Previous marriage dissolved";

(g) if a party's previous civil partnership was dissolved the Registrar General must enter the words "Previous civil partnership dissolved";

(h) if the civil partnership is between two parties who have previously been through a form of marriage with each other (not being a marriage which is known to have been null and void) and neither of them has since married or entered into a civil partnership with a third party, then (and notwithstanding subparagraphs (d) and (f) above) —

(i) if the marriage was terminated by divorce, the Registrar General must enter the words "Previously married at on Marriage dissolved on", inserting particulars of the place and date of the previous marriage and the date of its dissolution;

(ii) if the previous marriage was annulled, the Registrar General must enter the words "Previously married at on Marriage annulled on", inserting particulars of the place and date of the previous marriage and the date of its annulment; or

(iii) if the ceremony was performed for the avoidance of doubt as to the validity of a previous ceremony, the Registrar General must enter the words "Previously went through a form of marriage at on", inserting the particulars of the place and date of the previous ceremony;

and no further entry must be made in column 4.

(i) if the civil partnership is between two parties who have previously been through a form of civil partnership with each other (not being a civil partnership which is known to have been null and void) and neither of them has since married or entered into a civil partnership with a third party, then (and notwithstanding subparagraphs (d) and (f) above) —

(i) if the civil partnership was dissolved, the Registrar General must enter the words "Previously entered into a civil partnership at on"

Civil partnership dissolved on ”, inserting particulars of the place and date of the previous civil partnership and the date of its dissolution;

(ii) if the previous civil partnership was annulled, the Registrar General must enter the words “Previously entered into a civil partnership at on Civil partnership annulled on ”, inserting particulars of the place and date of the previous civil partnership and the date of its annulment; or

(iii) if the ceremony was performed for the avoidance of doubt as to the validity of a previous ceremony, the Registrar General must enter the words “Previously went through a registration of a civil partnership at on ”, inserting the particulars of the place and date of the previous ceremony;

and no further entry must be made in column 4.

(3) In columns 7 or 8 if a parent of either party to the civil partnership is deceased, the Registrar General must enter the word “deceased” after the surname.

(4) Where it appears to the Registrar General that he or she cannot enter the particulars required in any column of Form 7CP the Registrar General must draw a line in ink through that column.

14. Signing the civil partnership document

(1) Immediately before the signing of a civil partnership document, the Registrar must call upon the parties to the civil partnership to verify the particulars inserted pursuant to regulation 13 in the entry of civil partnerships and, if it appears that any error has been made, in the presence of the parties make the necessary correction in the manner provided in regulation 16.

(2) When the required particulars have been verified in accordance with sub-regulation (1) the Registrar must call upon the parties to sign the civil partnership document in the spaces provided and after the parties have signed the document, the Registrar must call upon the witnesses to also sign the civil partnership document.

(3) Immediately after the parties and their witnesses have signed, the Registrar by or in the presence of whom the civil partnership was registered must sign the document in the space provided and add his or her official designation or description and deliver or cause the civil partnership document to be delivered to the Registrar General.

(4) The Registrar General on entering the entry of civil partnership in the register must then sign the register book in the space provided.

(5) Where a person who is required under paragraph (2) or (3) to sign the entry of civil partnership makes a mark or signs in characters other than those used in the English language, the Registrar must write against the mark or signature the words “The mark (or signature) of”, inserting the forenames and surname of the person.

PART IV – Correction of errors

15. Time when entry is complete

An entry of marriage made by the Registrar General in the register is, for the purposes of these Regulations, deemed to have been completed when the Registrar General has signed the entry.

16. Correction of errors before entry is complete

(1) Where under these regulations the Registrar General is required to correct an error in an entry for a civil partnership before the entry is complete the Registrar General must, subject to paragraph (2), make the corrections in the following manner —

(a) if a word is incorrect, the Registrar General must strike it out by a line drawn through it, so however that the word remains legible, and write the correct word above it and must in the margin of the entry write his or her initials;

(b) if in any group of figures one or more figures is incorrect the Registrar General must strike out all the figures in the group by a line drawn through them, so that however they remain legible, and write the correct figures above them and must in the margin of the entry write his or her initials;

(c) if a word has been omitted, the Registrar General must place a caret where the omission occurs and above the caret the Registrar General must write the omitted word, except that if there is sufficient space the Registrar General must write that word where the omission occurs and underline it and, in any case, he or she must in the margin of the entry write his or her initials;

(d) if the particulars required to be entered in any two columns have been inadvertently transposed, the Registrar General must, without any other correction, write in the margin of the entry a note of the error in the following form: “The particulars in column and column inadvertently transposed”, inserting the number of the columns and adding his or her initials;

(e) if the particulars required to be entered in respect of the parties to a marriage, or the parents of the parties, have been inadvertently transposed, the Registrar General must, without any other correction, write in the margin of the entry a note to that effect, specifying the particulars to which the note relates, and add his or her initials.

(2) If it appears that an error has been made in the signature of one of the parties or witnesses to a marriage the signatory and not the Registrar General must make the correction, and the party and the Registrar General must, in the margin of the entry write their initials.

17. Correction of errors in completed entry

(1) Where it appears or is represented to the Registrar General that there is a completed entry in the register which contains an error in form or substance, the Registrar General must inquire into the matter and, if after such inquiry he or she is satisfied as to the existence of the error the Registrar General must correct it in the manner provided by paragraphs (2) and (3).

(2) The error must be corrected —

(a) by the Registrar General in the presence of the parties to the civil partnership to which the entry relates; or

(b) in the case of the death or absence of either of those parties, by the Registrar General in the presence of two credible witnesses.

(3) The entry must be corrected by entry in the margin of the register, without any alteration of the original entry and the marginal entry —

(a) must be signed by the Registrar General;

(b) must be attested by the persons in whose presence the entry in the margin of the register is required by sub-regulation (2) to be made,

and the Registrar General must add the date on which the entry in the margin of the register is made.

PART V — Miscellaneous provisions

18. Searches of indexes kept by the Registrar General

(1) The Registrar General must keep indexes of all entries in the register of civil partnerships at his or her office.

(2) A person may, on payment of the fee specified at regulation 19, search the indexes at any time when the Registrar General's office is open for the purpose.

(3) A person may request to have a certified copy of any entry in the register of civil partnerships on payment of the fee specified at regulation 19.

(4) The Registrar General must cause all certified copies of entries in the civil partnership register given in the Registry office to be sealed or stamped with the official seal and any certified copy of an entry purporting to be sealed or stamped with the official seal must be received as evidence of the civil partnership to which it relates without any further or other proof of the entry, and a certified copy purporting to have been so given has no force or effect unless it is sealed or stamped as specified in this sub-regulation.

19. Fees

(1) The following fees are prescribed for the purposes of these Regulations and must respectively, in each case specified below, be paid to the Registrar General —

(a) on giving notice of an intended civil partnership	£60.00
(b) on grant of Registrar General's licence/extraordinary licence	£60.00
(c) for registration of a civil partnership by a Registrar	£30.50
(d) any absence exceeding one hour by a Registrar from the Registrar's usual address for either of the purposes mentioned at (c)	£101.50 plus the reasonable cost of travel and any necessary

overnight
accommodation

(e) on application for a special licence

£203.00

(2) The fees provided for by sub-regulation (1) must be paid to the Registrar General who must pay the same into the Consolidated Fund.

FORMS

FORM 1CP NOTICE OF INTENDED CIVIL PARTNERSHIP (section 24D(1)(a) and regulation 5(1))

PARTICULARS RELATING TO THE PERSONS INTENDING TO REGISTER A CIVIL PARTNERSHIP

Name and Surname	Date of Birth	Sex	Marital/Civil Partnership Status	Occupation	Period of Residence	Venue in which civil partnership is to be formed	Nationality and place of residence
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

To the Registrar General

I, the above-namedgive you notice that I and (name and surname) the other person named above intend to enter into a civil partnership on the authority of [a licence granted by you within three months from the date of entry of this notice]/ on the authority of an extraordinary licence granted by you] and I declare as follows—

1. I believe that there is no impediment of kindred or alliance or other lawful hindrance to the said civil partnership.

2. I and the other person named above have for the period of seven days immediately before the giving of this notice had our usual places of residence within the Falkland Islands

3. In respect of myself —

Either A* I am eighteen years of age or over

or B If under the age of eighteen years—

(a) I will reach the age of eighteen years on..... (date)

or (b) I am a widower/widow;

or (c) The consent of..... whose consent (name(s)) is required by law has been obtained

and/or the necessity of obtaining the consent of..... (name(s)) has been dispensed with as provided by law;

and/or the.....Court has (name of court) consented to the civil partnership

or (d) There is no person whose consent to the civil partnership is required by law

4. In respect of the said..... (name and surname)

Either A * He/she is eighteen years of age or over.

or B If under the age of eighteen years

(a) He/she will reach the age of eighteen years on.....((dated)

or (b) He/she is a widower/widow;

or (c) The consent of..... whose consent is required by law

(names(s)) has been obtained;

and/or the necessity of obtaining the consent of.....has been dispensed with as provided

by law; and/or the.....Court has consented to the civil partnership

(name of court)

or (d) There is no person whose consent to the civil partnership is required by law

5. I further declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to enter into a civil partnership are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911 in its application to the Falkland Islands.

6. I also understand that if there is in fact an impediment of kindred or alliance or other lawful hindrance to the intended civil partnership the civil partnership may be invalid or void and the contracting of the civil partnership

may render one or both of the parties GUILTY OF AN OFFENCE AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER OFFENCE AS MAY HAVE BEEN COMMITTED

Signed.....Date.....

In the presence of.....(Signature of registration officer)

Official designation.....

*Delete whichever does not apply

NOTE: This Form is not to be used where the parties wish to apply for a special licence from the Governor. See instead requirements in regulation 10

FORM 2CP
DECLARATION FOR CIVIL PARTNERSHIPS OF CERTAIN PERSONS RELATED
BY AFFINITY
(section 24D(1)(b) and regulation 6(1))

To the Registrar General

CIVIL PARTNERSHIP OF

..... AND

(name and first alphabetical surname)

(name and second alphabetical surname)

Date of birth

Date of birth

Address

Address

.....

.....

I, the above named, declare that I and the other person named above are related in
(name and surname)

that he/she is the*.....

I further declare that the younger of us has not at any time before attaining the age of eighteen years been a child of the family in relation to the other.

Signed

In the presence of
(signature)

Date

Official designation

*Insert whichever of the following applies

- Child of my former civil partner
- Child of my former spouse
- Former civil partner of my grandparent
- Former civil partner of my parent
- Former spouse of my grandparent
- Former spouse of my parent
- Grandchild of my former civil partner
- Grandchild of my former spouse

FORM 4CP

APPLICATION FOR AN EXTRAORDINARY LICENCE
(Regulation 9(1))

To: The Registrar General

1. I, apply to you for the grant of an extraordinary licence enabling me to enter into a civil partnership with.....at

EITHER

2. [I am] [The said is] [Both I and the said are] in imminent danger of death.

[I attach a medical certificate as to [my state of health] [I attach a medical certificate as to the state of health of the said

.....]*

(This version of paragraph 2 should be completed if the state of health of one of the parties is the basis on which one or both of the parties is in imminent danger of death)

OR

2. [I am] [The said is] [Both I and the said are] in imminent danger of death

because

(State above the reasons for one or both of the parties being in imminent danger of death (e.g. because the applicant is about to leave on active service on armed operations during a time of war))

(This version of paragraph 2 should only be used if the state of health of one or both of the parties is not the basis on which one or both of the parties is in imminent danger of death)

NOTES

1. If the licence is granted, it will authorise the civil partnership to take place within fourteen days of the grant of the licence.
2. Notice of civil partnership in Form 1CP must also be given before an extraordinary licence can be granted.
3. If Notice in Form 1CP has already been given, with the intention that the civil partnership shall be registered under an ordinary licence granted by the Registrar General, if one or both of the parties to the intended civil partnership becomes or become in imminent danger of death application in Form 4CP may be made for the grant of an extraordinary licence.

FORM 5CP

REGISTRAR GENERAL'S EXTRAORDINARY LICENCE

(regulation 9(2))

NOTICE pursuant to LEGISLATION having on the day of 20 been duly given and entered in the Civil Partnership Notice Book of the civil partnership intended to be registered between the parties below named and described and the issue of this licence not having been forbidden by any person authorised to forbid its issue and an application for an extraordinary licence having been made to me,

NOW I,, Registrar General, grant to the said parties extraordinary licence to register and contract their intended civil partnership.

Name and surname	Age	Marital/Civil Partnership status	Occupation	Place of residence	Period of residence	Place where the civil partnership is to be registered	Mode of registration (Registrar or other person in presence of Registrar)
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Date.....

Signature.....

Registrar General

NOTE

This licence will be void if the civil partnership is not registered within fourteen days of the grant of this licence

The civil partnership must be registered on or before.....

FORM 6CP
FORM OF INSTRUCTIONS
(regulation 11(2))

Marriage Ordinance 1996

Instructions for the registration of a civil partnership to be conducted other than by the Registrar General

1. This civil partnership must be registered in the building or at the place named in the Civil Partnership Licence, and nowhere else.
2. At least two witnesses must also be present, and the doors of any building in which the civil partnership is to take place must be unlocked. (The doors need not be actually open provided they are not so closed as to prevent persons from entering that part of the building in which the civil partnership is registered.)
3. Any licence issued or granted by the Registrar General must be delivered to the person in whose presence the civil partnership is to be registered (referred to in these instructions as the “authorised person”). Unless this document (or those documents) is in his or her possession the authorised person must on no account allow the civil partnership to take place.
4. It is absolutely essential to the validity of the civil partnership that the civil partnership document is signed by the parties to the civil partnership in the presence of the authorised person and of the witnesses to the civil partnership. *The parties to the civil partnership may make or exchange any statement, vow, or other form of words at the time of signing the document if they so wish but this is not a mandatory requirement and there are no prescribed form of words which must be said.*
6. Immediately after the civil partnership is registered the authorised person must ensure that three copies of the civil partnership document (Form 7CP) have been verified and signed by the parties to the civil partnership, by at least two witnesses and by the authorised person.
7. After the certificates have been verified and signed in accordance with instruction 6 the authorised person must deliver or cause to be delivered one certificate to the Registrar General at the Registry Office.

Form 7CP
(*regulation 12*)
CIVIL PARTNERSHIP DOCUMENT

Particulars of civil partnership

Place of civil partnership registration

No.	Date of civil partnership	Name and surname	Date of birth	Marital/ Civil Partnership Status	Occupation	Residence at time of civil partnership registration	Parent's name, surname and occupation (Parent 1)	Parent's name, surname and occupation (Parent 2)	Sex of party to civil partnership
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	

Civil partner's signature: _____ Civil partner's signature: _____

Name and surname of witnesses:

Registrar General's/Registrar's signature: _____ Name of Registrar: _____

Made 2017

C. Roberts C.V.O.,
Governor.

EXPLANATORY NOTE
(*not part of the regulations*)

These regulations are made under section 24D(2) of the Marriage Ordinance 1999 as amended by the Marriage (Amendment) Ordinance 2017 to provide for the procedure of registering civil partnerships, the fees and forms to be used as well as other matters.

Part I provides for introductory matters which cover the title, the commencement and the definition of terms used in the Regulations.

Part II deals with preparatory steps to be followed before a civil partnership can be registered. It provides as follows —

Clause 4 provides for the important elements which must be taken before a civil partnership can be registered between 2 people, give a notice of their intention to register a civil partnership, obtain a licence authorising the registration of the civil partnership and payment of a fee. The fee is set out under regulation 19.

Clause 5 provides for the form of a notice which is specified in Form 1CP. There is a requirement on the Registrar General to publicise the notice in a conspicuous place and to enter the particulars of the notice in the civil partnership book. There is a requirement from section 24D(1)(B) for the notice to be accompanied by a declaration. Clause 6 provides for the particulars of the declaration.

It provides for the declaration to be signed by the person giving the notice in the presence of the Registrar General and a Form 2CP specifies the contents of a declaration.

Clause 7 provides for the licence to authorise the registration of a civil partnership. This can either be a normal Registrar General's licence which must be issued within 21 days after the notice has been given where no lawful impediment has been shown. The licence is specified under Form 3CP. However a party to the intended civil partnership has an option to apply for either an extraordinary licence from the Registrar General or a special licence from the Governor.

Clause 8 provides for the extraordinary licence and sets out the terms under which it can be granted. Clause 9 provides for Form 4CP which is the application form which must be submitted with a fee set out under regulation 19. It also specifies the form of the extraordinary licence in Form 5CP.

Clause 10 provides for special licences granted by the Governor and sets out the terms under which it can be granted. It provides for the application to be accompanied by a statutory declaration and a fee set out under regulation 19.

Clause 11 provides for instructions that the Registrar General must issue where he or she is not the one doing the registration of a civil partnership as an aid. The instructions are set out under Form 6CP.

Part III provides for the actual registration process.

Clause 12 provides for the civil partnership document which must be signed by parties to a civil partnership. This is set out under Form 7CP.

Clause 13 provides for the manner of completing Form 7CP.

Clause 14 provides for the Registrar to verify the particulars of the parties to a civil partnership with the parties before signing of the civil partnership document.

Part IV provides for correction of errors in any entry relating to the civil partnership. Clause 15 provides for the corrections of errors after an entry has been completed, clause 16 provides

for correction of errors before entry is complete and clause 17 provides for correction of errors in a complete entry. All these clauses prescribe the manner of correcting the errors.

Part V provides for miscellaneous provisions.

Clause 18 provides for searches, requests for copies and requires that the Registrar General must certify the copies and append a seal or stamp the certified copies to reflect that they are true copies. The fee for copies is payable for this service.

Clause 19 provides for fees that are payable under the different clauses in the Regulations.