

2012 No. 3100

REGULATORY REFORM

The Legislative Reform (Civil Partnership) Order 2012

Made - - - - *4th December 2012*

Coming into force - - *5th December 2012*

The Secretary of State, Foreign and Commonwealth Office (“the Secretary of State”) makes this Order in exercise of the powers conferred by section 1 of the Legislative and Regulatory Reform Act 2006^(a) (“the 2006 Act”).

For the purposes of section 3(1) of the 2006 Act, the Secretary of State considers that, where relevant, the conditions under section 3(2) are satisfied.

The Secretary of State has consulted in accordance with section 13(1) of the 2006 Act.

The Secretary of State has laid a draft of this Order and an explanatory document before Parliament in accordance with section 14(1) of the 2006 Act.

Pursuant to section 15 of the 2006 Act, the affirmative resolution procedure (within the meaning of Part 1 of that Act) applies in relation to the making of this Order.

After the expiry of the 40-day period referred to in section 17(2) of the 2006 Act, each House has approved a draft of this Order.

Citation and Commencement

1. This Order may be cited as the Legislative Reform (Civil Partnership) Order 2012 and shall come into force on the day after it is made.

^(a) 2006 c.51; see section 32 for the definitions of “Minister of the Crown” and “regulatory function”.

Amendments to the Civil Partnership Act 2004

2.—(1) Section 210 of the Civil Partnership Act 2004(a) (registration at British consulates etc) is amended as follows.

(2) In subsection (1)(b), for the words “a prescribed officer of Her Majesty’s Diplomatic Service” substitute “a registration officer”.

(3) In subsection (3), for “An officer” substitute “A registration officer”.

(4) After subsection (5) insert—

“(6) “Registration officer” means—

- (a) a consular officer in the service of Her Majesty’s government in the United Kingdom, or
- (b) in the case of registration in a country in which Her Majesty’s government in the United Kingdom has for the time being no consular representative, a person authorised by the Secretary of State in respect of registration of civil partnerships in that country.”

Mark Simmonds

Parliamentary Under Secretary of State
Foreign and Commonwealth Office

4th December 2012

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Civil Partnership Act 2004 (“the 2004 Act”). Article 2(2) amends section 210(1)(b) of the 2004 Act to remove the restriction that civil partnerships may only be registered in the presence of a prescribed officer of Her Majesty’s Diplomatic Service. The new section 210(1)(b) permits registration to be carried out before a registration officer and Article 2(3) amends section 210(3) of the 2004 Act to reflect this change.

Article 2(4) of the Order amends section 210 of the 2004 Act to add a definition of “registration officer”, which encompasses consular officers and authorised individuals in countries in which the United Kingdom has no consular representative.

An impact assessment has been prepared in respect of this Order and may be obtained from Consular Directorate, Foreign and Commonwealth Office, King Charles Street, London, SW1A 2AH. It is also annexed to the explanatory document which is available alongside this Order on the OPSI website.

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