

Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill

MARSHALLED
LIST OF AMENDMENTS
TO BE MOVED
IN COMMITTEE OF THE WHOLE HOUSE

[Amendments marked ★ are new or have been altered]

Amendment
No.

After Clause 1

BARONESS HODGSON OF ABINGER

1★ Insert the following new Clause –

“Extension of civil partnership

- (1) The Secretary of State may, by regulations, amend the Civil Partnership Act 2004 so that two persons who are not of the same sex are eligible to form a civil partnership in England and Wales (provided that they would be eligible to do so apart from the question of sex).
- (2) The Secretary of State must exercise that power so that such regulations are in force no later than 31 December 2019.
- (3) The Secretary of State may, by regulations, make any other provision that appears to the Secretary of State to be appropriate in view of the extension of eligibility to form civil partnerships in England and Wales to couples who are not of the same sex.
- (4) Regulations under subsection (3) may, in particular, make provision about –
 - (a) parenthood and parental responsibility of parties to a civil partnership;
 - (b) the application by a party to a civil partnership for a gender recognition certificate under the Gender Recognition Act 2004, or the issuing of such a certificate, and the consequences of that application or issuing for the civil partnership;
 - (c) the financial consequences of civil partnership (for example, in relation to pensions or social security);
 - (d) the treatment under the law of England and Wales as civil partnerships of similar relationships formed outside the United Kingdom.
- (5) The Secretary of State may, by regulations, make provision –

After Clause 1 - continued

- (a) for and in connection with a right to convert a marriage into a civil partnership (including any provision equivalent or similar to that contained in or authorised by section 9 of the Marriage (Same Sex Couples) Act 2013);
- (b) restricting or bringing to an end –
 - (i) the right to convert a civil partnership into a marriage conferred by section 9(1) or (2) of the Marriage (Same Sex Couples) Act 2013 (including as it applies or would apply by virtue of regulations under this section);
 - (ii) any right conferred under paragraph (a).
- (6) Before making regulations under subsection (5), the Secretary of State must consult such persons as the Secretary of State considers appropriate.
- (7) The Secretary of State may, by regulations, make any provision that the Secretary of State considers appropriate in order to protect the ability to act in accordance with religious belief in relation to civil partnership (including the conversion of civil partnership into marriage and vice versa).
- (8) Regulations under subsection (3), (5) or (7) may include provision amending, repealing or revoking primary legislation passed or made before the end of the Session in which this Act is passed.
- (9) In this section –
 - (a) reference to forming a civil partnership in England and Wales includes reference to registering as civil partners outside the United Kingdom by virtue of eligibility to do so in England and Wales (in accordance with section 210(2)(b) or 211(2)(b) of the Civil Partnership Act 2004);
 - (b) “primary legislation” means –
 - (i) an Act of Parliament;
 - (ii) an Act or Measure of the National Assembly for Wales;
 - (iii) a Measure of the Church Assembly or of the General Synod of the Church of England.”

LORD FAULKNER OF WORCESTER
LORD COLLINS OF HIGHBURY
LORD CASHMAN

2

Insert the following new Clause –

“Removal of exemption for clergy under the Marriage (Same Sex Couples) Act 2013

- (1) The Secretary of State must make regulations to amend the Marriage (Same Sex Couples) Act 2013 to remove the exemption for members of the clergy to solemnize the marriage of a same sex couple.
- (2) Regulations under this section must be in force by the end of the period of 6 months beginning with the day on which this Act is passed.”

After Clause 1 - continued

LORD HAYWARD
LORD COLLINS OF HIGHBURY
LORD CASHMAN

3 Insert the following new Clause—

“Marriage of same-sex couples in Northern Ireland

- (1) The Secretary of State must make regulations to change the law relating to marriage in Northern Ireland to provide that marriage between same-sex couples is lawful.
- (2) Regulations under this section must be in force within 10 months of this Act being passed, subject to subsections (3), (4), (5) and (6).
- (3) If a Northern Ireland Executive is formed within the period of 6 months beginning with the day on which this Act is passed, a statutory instrument containing regulations under this section must be laid before the Northern Ireland Assembly.
- (4) Regulations contained in a statutory instrument under subsection (3) are subject to negative resolution within the meaning given by section 41(6) of the Interpretation Act (Northern Ireland) 1954.
- (5) If no Northern Ireland Executive is formed by the end of the period of 6 months beginning with the day on which this Act is passed, a statutory instrument containing regulations under this section must be laid before both Houses of Parliament.
- (6) A statutory instrument containing regulations under subsection (5) is subject to annulment in pursuance of a resolution of either House of Parliament.”

Clause 2

BARONESS HODGSON OF ABINGER

Baroness Hodgson of Abinger gives notice of her intention to oppose the Question that Clause 2 stand part of the Bill.

Clause 5

BARONESS HODGSON OF ABINGER

4★ Page 4, line 19, at end insert—

“(1A) The Secretary of State may by regulations make provision in consequence of regulations under section (*Extension of civil partnership*).”

5★ Page 4, line 22, after “(1)” insert “, (1A)”

6★ Page 4, line 32, leave out from beginning to “may” in line 33 and insert—

- “(a) regulations under section (*Extension of civil partnership*), or
- (b) regulations under any other section of this Act that amend, repeal or revoke any provision of primary legislation,”

In the Title

BARONESS HODGSON OF ABINGER

7★

Line 1, leave out “a report on civil partnerships” and insert “the extension of civil partnerships to couples not of the same sex”

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30 January 2019
