
SCOTTISH STATUTORY INSTRUMENTS

2014 No. 306

**CIVIL PARTNERSHIP
REGISTRATION OF BIRTHS,
DEATHS, MARRIAGES, ETC.
MARRIAGE**

**The Marriage and Civil Partnership (Prescribed
Forms) (Scotland) Regulations 2014**

Made - - - - *11th November 2014*
*Laid before the Scottish
Parliament* - - - - *13th November 2014*
Coming into force - - *16th December 2014*

The Registrar General makes the following Regulations in exercise of the powers conferred by sections 88(1) and (5), and 95ZA of the Civil Partnership Act 2004⁽¹⁾, section 55(2) of the Local Electoral Administration and Registration Services (Scotland) Act 2006⁽²⁾, sections 3(1), 6(1) and 7(2) of the Marriage (Scotland) Act 1977⁽³⁾, sections 32(1) and 54(1)(b) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965⁽⁴⁾ and all other powers enabling him to do so⁽⁵⁾.

In accordance with section 126(3) of the Civil Partnership Act 2004, section 60(1) of the Local Electoral Administration and Registration Services (Scotland) Act 2006, section 25(1) of the Marriage (Scotland) Act 1977 and section 54(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965, the Scottish Ministers have approved the making of these Regulations.

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- (1) [2004 c.33](#); section 88(5) was amended by the Local Electoral Administration and Registration Services (Scotland) Act [2006 \(asp 14\)](#), Part 2, section 52(2); section 95ZA was inserted by the Marriage and Civil Partnership (Scotland) Act [2014 \(asp 5\)](#), section 24(15). The Civil Partnership Act 2004, section 126(1) contains a definition of “prescribed”, and section 135 contains a definition of “Registrar General” relevant to the exercise of the statutory powers under which these Regulations are made.
- (2) [2006 asp 14](#); section 60(1) contains a definition of “prescribed” relevant to the exercise of the powers under which these Regulations are made.
- (3) [1977 c.15](#); section 3(1) was relevantly amended by the Local Electoral Administration and Registration Services (Scotland) Act [2006 \(asp 14\)](#), Part 2, section 50(2)(a), the Civil Partnership Act [2004 \(c.33\)](#), Schedule 28(4), paragraph 43(a), and the Marriage (Prohibited Degrees of Relationship) Act [1986 \(c.16\)](#), section 2, Schedule 2, paragraph 3; section 6(1) was relevantly amended by the Marriage (Prohibited Degrees of Relationship) Act [1986 \(c.16\)](#), sections 2, 6(6) and Schedule 2, paragraph 5; section 7(2) was relevantly amended by the Marriage and Civil Partnership (Scotland) Act [2014 \(asp 5\)](#), section 18(3); the Marriage (Scotland) Act [1977 \(c.15\)](#), Section 26(2) contains a definition of “prescribed” relevant to the exercise of the powers under which these Regulations are made.
- (4) [1965 c.49](#); section 32(1) was amended by paragraph 8 of Schedule 2 to the Marriage (Scotland) Act [1977 \(c.15\)](#). Section 56(1) contains a definition of “prescribed” relevant to the exercise of the power under which these Regulations are made, and section 1 contains a definition of “Registrar General” relevant to the exercise of the statutory powers under which these Regulations are made.
- (5) The powers to make this Order are exercised together by virtue of section 33(2) of the Interpretation and Legislative Reform (Scotland) Act [2010 \(asp 10\)](#). The Order is subject to the negative procedure by virtue of section 33(4) of that Act.

Citation and commencement

1. These Regulations may be cited as the Marriage and Civil Partnership (Prescribed Forms) (Scotland) Regulations 2014 and come into force on 16th December 2014.

Amendment of the Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005

2. (1) The Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005(6) are amended as follows.

(2) After regulation 6, insert—

“6A. The notices prescribed for the purposes of section 95ZA(1) and (2) are in the form set out in Schedules 3A and 3B.”

(3) For the form set out in Schedule 1 (civil partnership notice), substitute the form set out in Schedule 1 to these Regulations.

(4) After Schedule 3, insert Schedules 3A and 3B set out in Schedule 2 to these Regulations.

Amendment of the Book of Scottish Connections Regulations 2008

3. (1) The Book of Scottish Connections Regulations 2008(7) are amended as follows.

(2) For the form set out in Schedule 7 (entry of marriage), substitute the form set out in Schedule 3 to these Regulations.

Amendment of the Marriage (Prescription of Forms) (Scotland) Regulations 1997

4. (1) The Marriage (Prescription of Forms) (Scotland) Regulations 1997(8) are amended as follows.

(2) For the form set out in Schedule 1 (marriage notice - Scotland), substitute the form set out in Schedule 4 to these Regulations.

(3) For the form set out in Schedule 2 (declaration where marriage proposed between parties related in a specified degree), substitute the form set out in Schedule 5 to these Regulations.

(4) For the form set out in Schedule 3 (marriage schedule), substitute the form set out in Schedule 6 to these Regulations.

(5) For the form set out in Schedule 4 (certificate of no impediment), substitute the form set out in Schedule 7 to these Regulations.

Amendment of the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997

5. (1) The Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997(9) are amended as follows.

(2) For the form set out in Schedule 17 (marriage register page), substitute the form set out in Schedule 8 to these Regulations.

(6) [S.S.I. 2005/458](#); relevant amending instrument is [S.S.I. 2009/314](#).

(7) [S.S.I. 2008/386](#); relevant amending instrument is [S.S.I. 2009/314](#).

(8) [S.I. 1997/2349](#); relevant amending instruments are [S.S.I. 2005/596](#) and [S.S.I. 2009/315](#).

(9) [S.I. 1997/2348](#); relevant amending instruments are [S.S.I. 2005/595](#) and [S.S.I. 2009/315](#).

New Register House, Edinburgh
11th November 2014

ROD BURNS
Deputy Registrar General for Scotland

Approved by the Scottish Ministers

St Andrew's House, Edinburgh
11th November 2014

ALEX NEIL
A member of the Scottish Government

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SCHEDULE 1

Regulation 2 (3)

Form CP10

CIVIL PARTNERSHIP NOTICE – SCOTLAND

SCHEDULE 2

Regulation 2 (4)

“SCHEDULE 3A

Regulation 6A

FORM OF NOTICE FOR THE FAILURE TO DELIVER CIVIL PARTNERSHIP SCHEDULE FOLLOWING THE REGISTRATION OF A RELIGIOUS OR BELIEF CIVIL PARTNERSHIP

(Section 95ZA(1) of the Civil Partnership Act 2004)

From the district registrar, District of
(Address).....
..... Postcode.....
To
(Address).....
..... Postcode.....

Section 95ZA(1) of the Civil Partnership Act 2004 provides that where the civil partnership schedule is not delivered to the district registrar within 21 days from the date of registration as entered in the schedule, the registrar may serve a notice on either of the parties to the civil partnership requiring that party to deliver the schedule, or send it by post, to the registrar within 8 days from the date of service of this notice. As you are one of the parties to the civil partnership that was registered on (date)..... at (place).....

I serve this notice on you and require you to return the schedule to me at this office by delivering it, or sending it by post

before (date)..... in order that the particulars contained in the schedule may be entered in the civil partnership register.

(signature).....district registrar

(date).....

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SCHEDULE 3B

Regulation 6A

FORM OF SECOND NOTICE FOR THE FAILURE TO RETURN CIVIL PARTNERSHIP SCHEDULE FOLLOWING THE REGISTRATION OF A RELIGIOUS OR BELIEF CIVIL PARTNERSHIP

(Section 95ZA(2) of the Civil Partnership Act 2004)

From the district registrar, District of

(Address).....

Postcode.....

To

(Address).....

Postcode.....

On (date)..... a notice under section 95ZA(1) of the Civil Partnership Act 2004 was served on you requesting that you return to this office on or before (date)..... the civil partnership schedule issued in respect of the registration of your civil partnership.

You have failed to comply with the notice, and I serve this notice on you and require you to attend personally at this office before (date)..... for the purpose of delivering the civil partnership schedule, as required by law.

If you fail to attend as required you may be guilty of an offence under section 100(3A)(d) of the Civil Partnership Act 2004.

(signature).....district registrar

(date).....

SCHEDULE 3

Regulation 3(2)

Entry of Marriage

(Section 54 of the Local Electoral Administration and Registration Services (Scotland) Act 2006)

MARRIAGE Recorded in the Book of Scottish Connections				Volume No.	Year	Entry No.
1. Date of Marriage						
2. Place of Marriage						
3. Designation						
4. Forename(s) Surname(s)		(Signed)			(Signed)	
5. Marital or Civil Partnership Status						
6. Date of birth		Year	Month	Day	Year	Month Day
7. Country of birth						
8. Father's/Parent's forename(s) surname(s)						
9. Mother's/Parent's forename(s) surname(s)						
10. When Recorded		Year	Month	Day	11. _____ for the Registrar General	
12. Scottish Connection						
13.						

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SCHEDULE 4

Regulation 4 (2)

FORM M10

MARRIAGE NOTICE – SCOTLAND



MARRIAGE NOTICE - SCOTLAND

Form M10

(Section 3(1) of the Marriage (Scotland) Act 1977)

Use a pen to fill in the form, all in BLOCK CAPITALS except for your signature at the end

A About the proposed marriage

1. Date of marriage	Year	Month	Day	For registrar's use only	
2. Place					Number in Notice book
					Date documents returned

B About yourself

3. Forename(s)			
Surname(s)			
4. Present or last occupation			
5. Retired (tick box)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	6. Sex (tick box) Male <input type="checkbox"/> Female <input type="checkbox"/>
7. Marital or Civil Partnership Status (tick only one box)			
Single	<input type="checkbox"/>	Divorced	<input type="checkbox"/> Widowed <input type="checkbox"/>
Surviving Civil Partner	<input type="checkbox"/>	Previous Civil Partnership dissolved	<input type="checkbox"/> Previous Civil Partnership annulled <input type="checkbox"/>
Previous marriage annulled	<input type="checkbox"/>	Existing Civil Partnership	<input type="checkbox"/> Existing Marriage <input type="checkbox"/>
8. Date of Birth	Year	Month	Day
9. Country of birth	10. Country of residence		11. Nationality
12. Usual residence			
Postcode			
13. How do you wish to be described in the Marriage Schedule and other documentation relating to your marriage? (tick only one box) Bridegroom <input type="checkbox"/> Bride <input type="checkbox"/> No designation <input type="checkbox"/>			

C About your father/parent

14. (a) Forename(s)	
(b) Surname(s) at time of father's/parent's birth	
(c) Surname(s) at time of your birth if different from (b)	
(d) Surname(s) now (or at date of her/his death) if different from (b)	
15. Present or last occupation	
16. Retired (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>
17. Is he/she still living? (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>

D About your mother/parent

18. (a) Forename(s)	
(b) Surname(s) at time of mother's/parent's birth	
(c) Surname(s) at time of your birth if different from (b)	
(d) Surname(s) now (or at date of her/his death) if different from (b)	
20. Present or last occupation	
21. Retired (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>
22. Is she/he still living? (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>

E About your parents

23. Were your parents			
(a) married to each other at the time of your birth or later?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	
(b) registered as Civil Partners at the time of your birth or later?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	

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F About the celebrant (complete this part if you intend to have ceremony solemnised by someone other than a registrar)

24. Person who is to solemnise the marriage?
25. Denomination or body to which (s)he is attached?

G About the other party to the marriage

26. Forename(s) in full
Surname(s)
27. Usual residence
Postcode

H Documents to be submitted by you with this Notice

<p>28. FOR ALL PERSONS</p> <p>Is your birth certificate enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce your birth certificate, state the reason here.</i></p>
<p>29. IF YOU ARE DIVORCED, YOUR PREVIOUS MARRIAGE WAS ANNULLED OR YOUR PREVIOUS CIVIL PARTNERSHIP HAS BEEN DISSOLVED OR ANNULLED</p> <p>Is your decree of divorce, annulment or dissolution enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce the official decree of divorce or annulment or decree of dissolution or annulment of Civil Partnership, state the reason for not doing so. The registrar will require proof of the termination of the earlier marriage or Civil Partnership.</i></p>
<p>30. IF YOUR FORMER SPOUSE OR CIVIL PARTNER IS DECEASED</p> <p>Is the death certificate of your former spouse or Civil Partner enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce a death certificate of your previous spouse or Civil Partner, state the reason for not doing so. The registrar will require proof of the death.</i></p>
<p>31. IF YOU ARE A PERSON WHO IS SUBJECT TO THE MARRIAGE LAWS OF A COUNTRY OUTSIDE THE UNITED KINGDOM</p> <p>Have you enclosed a certificate of no impediment to marriage issued by a competent authority in that country? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce such a certificate, state the reason. If you have resided in the UK for at least two years immediately before submitting the notice, you need not submit a certificate of no impediment, but should state how long you have been resident in the UK.</i></p>
<p>32. IF YOU ARE IN AN EXISTING CIVIL PARTNERSHIP</p> <p>Is the relevant extract from the Civil Partnership register (your Civil Partnership certificate) enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce the extract from the Civil Partnership register relating to your Civil Partnership, state the reason for not doing so. The registrar will require proof of the Civil Partnership.</i></p>
<p>33. IF YOU ARE IN AN EXISTING MARRIAGE</p> <p>Is your marriage certificate enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/> (tick box)</p>	<p><i>If you are unable to produce your marriage certificate, state the reason for not doing so. The registrar will require proof of the marriage.</i></p>

34. DECLARATION

I solemnly declare

- (1) that I am the person named at B3;
- (2) that I and the person named at Part G intend to be married on the date and at the place entered in Part A;
- (3) that there is no impediment caused by a relationship of consanguinity, affinity or adoption and that I know of no other legal impediment to our marriage;
- (4) that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
- (5) that each document submitted by me in accordance with Part H of this notice is genuine.

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

Note: Any person who supplies false information to a registrar or uses, gives or sends any certificate, document or declaration required for purposes of this Marriage Notice which is false or has been forged in any way is liable to prosecution.

SCHEDULE 5

Regulation 4 (3)



DECLARATION WHERE A MARRIAGE IS PROPOSED BETWEEN PARTIES RELATED IN A DEGREE SPECIFIED BELOW

Form DSR

DECLARATION WHERE A MARRIAGE IS PROPOSED BETWEEN PARTIES RELATED IN A DEGREE SPECIFIED BELOW*

(Section 3(1)(d) of the Marriage (Scotland) Act 1977)

Forename(s)		
Surname(s)		
Date of birth		
Usual residence		

DECLARATION

I solemnly declare

(1) that I
(Enter full forename(s) and surname(s))

and the other person named above are related in the following degree:
.....and
(Insert whichever degree below applies)*

(2) that the younger party has not at any time before attaining the age of 18 lived in the same household as the other party and been treated by the other party as a child of his or her family.

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

* Degrees of relationship by affinity

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

WARNING: A person who gives false information may be guilty of a criminal offence.

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SCHEDULE 6

Regulation 4 (4)



MARRIAGE SCHEDULE

(Section 6(1) of the Marriage (Scotland) Act 1977)

This is not a Marriage Certificate. In the case of a marriage solemnised by someone other than a registrar it must be returned to the issuing registrar within three days of the marriage to enable the registrar to register the marriage.

1. When married							MARRIAGE NOTICE NO.			
2. Where married										
3. Designation										
4. Forename(s)		(Signature)			(Signature)					
Surname(s)										
5. Occupation										
6. Marital or Civil Partnership status										
7. Date of birth		Year	Month	Day	Year	Month			Day	DISTRICT NO.
8. Country of birth										
9. Usual residence										
10. Father's/Parent's forename(s) surname(s) and occupation									YEAR	
11. Mother's/Parent's forename(s) surname(s) and occupation										
12. Person solemnising the marriage		(Signature)					ENTRY NO.			
		Full name in block capitals								
		Designation								
13. Witnesses with addresses		(Signature)								
		Full name in block capitals								
		Address								
		(Signature)								
		Full name in block capitals								
14. When registered		Year	Month	Day	15. _____					
		Registrar								
16.										

SCHEDULE 7

Regulation 4 (5)



CERTIFICATE OF NO IMPEDIMENT

Form M1

CERTIFICATE OF NO IMPEDIMENT

(Section 7 of the Marriage (Scotland) Act 1977)

Name.....

Address.....
.....Postcode.....

The above applicant has supplied to me the following information concerning his or her intended Marriage.

	Applicant	Intended Spouse
1. Forename(s)		
2. Surname(s)		
3. Date of birth		
4. Nationality		
5. Country of birth		
6. Country of residence		
7. Place of usual residence		
8. Marital or Civil Partnership status		
9. Date of Proposed Marriage		
10. Place of Proposed Marriage		

I certify that

- the applicant has met the legal requirements of the law of Scotland as set out in the Marriage (Scotland) Act 1977;

- the applicant is not known to me to be subject to any legal incapacity under the law of Scotland which would prevent the applicant from marrying;

- it appears to me that there is NO IMPEDIMENT to the proposed marriage as far as the applicant is concerned.

Signature.....

Registrar for the District of....., in Scotland

THIS CERTIFICATE IS VALID FOR THREE MONTHS FROM.....

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SCHEDULE 8

Regulation 5 (2)

(Section 32(1) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965)

MARRIAGE Registered in the district of				District No.	Year	Entry No.
1. When married						
2. Where married						
3. Designation						
4. Forename(s) Surname(s)		(Signed)		(Signed)		
5. Occupation						
6. Marital or civil partnership Status						
7. Date of birth	Year	Month	Day	Year	Month	Day
8. Country of birth						
9. Usual residence						
10. Father's/Parent's forename(s) surname(s) and occupation						
11. Mother's/Parent's forename(s) surname(s) and occupation						
12. Person solemnising/ registering with designation		(Signed)				
13. Witnesses with addresses		(Signed)				
		(Signed)				
14. When registered	Year	Month	Day	15. _____ Registrar		
16.						
17.						

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Civil Partnerships (Prescription of Forms, Publicisation and Errors) (Scotland) Regulations 2005 (“the 2005 Regulations”), the Book of Scottish Connections Regulations 2008 (“the 2008 Regulations”), the Marriage (Prescription of Forms) (Scotland) Regulations 1997 (“the Marriage Regulations”) and the Registration of Births, Still-births, Deaths and Marriages (Prescription of Forms) (Scotland) Regulations 1997 (“the 1997 Regulations”) in consequence of the Marriage and Civil Partnership (Scotland) Act 2014.

The Regulations amend the 2005 Regulations by prescribing the forms of notices to be used by a district registrar to require delivery of a civil partnership schedule under section 95ZA of the 2004 Act where, following the registration of a religious or belief civil partnership, the schedule has not been delivered by either of the parties to that civil partnership within the time period specified in that section. The Regulations also substitute an amended version of Form CP10 (civil partnership notice).

The Regulations amend the 2008 Regulations by substituting an amended version of the form of the Entry of Marriage.

The Regulations amend the Marriage Regulations by substituting amended versions of the following forms: Form M10 (marriage notice); Form DSR (declaration where marriage proposed between parties related in a specified degree); Marriage Schedule; and Form M1 (certificate of no impediment).

The Regulations amend the 1997 Regulations by substituting an amended version of the Marriage Register Page.