

2011 No. 1171

CIVIL PARTNERSHIP, ENGLAND AND WALES

**The Civil Partnership (Registration Provisions) (Amendment)
Regulations 2011**

Made - - - - - *26th April 2011*

Coming into force in accordance with regulation 1(2)

The Registrar General, in exercise of the powers conferred by sections 8(2) and 36(2)(a) and (3) of the Civil Partnership Act 2004(a), with the approval of the Secretary of State(b) makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Civil Partnership (Registration Provisions) (Amendment) Regulations 2011.

(2) These Regulations shall come into force on the day on which the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (Remedial) Order 2011(c) comes into force.

Amendment to the Civil Partnership (Registration Provisions) Regulations 2005

2.—(1) The Civil Partnership (Registration Provisions) Regulations 2005(d) are amended as follows.

(2) In Schedule 2 (prescribed forms) —

- (a) for Form 3 (notice of civil partnership given by a party who is subject to immigration control and where both parties are aged eighteen or over) substitute Form 3 in the Schedule to these Regulations;
- (b) for Form 3(w) (notice of civil partnership (Welsh translation) given by a party who is subject to immigration control and where both parties are aged eighteen or over) substitute Form 3(w) in the Schedule to these Regulations;
- (c) for Form 4 (notice of civil partnership given by a party who is subject to immigration control and where either party is, or both parties are, aged under 18) substitute Form 4 in the Schedule to these Regulations; and
- (d) for Form 4(w) (notice of civil partnership (Welsh translation) given by a party who is subject to immigration control and where either party is, or both parties are, aged under 18) substitute Form 4(w) in the Schedule to these Regulations.

(a) 2004 c.33.

(b) The function of approving regulations was transferred to the Secretary of State for the Home Department by article 3(1) and paragraph 14(d) of Schedule 1 to the Transfer of Functions (Registration) Order 2008 (S.I. 2008/678).

(c) S.I. 2011/1158.

(d) S.I. 2005/3176.

Made by

26th April 2011

Sarah Rapson
Registrar General

I approve

Home Office
25th April 2011

Damian Green
Minister of State

**NOTICE OF CIVIL PARTNERSHIP
PARTICULARS RELATING TO THE PERSONS FORMING A CIVIL PARTNERSHIP**

| Name and surname (1) | Date of birth (2) | Sex (3) | Condition (4) | Occupation (5) | Period of residence (6) | Venue in which civil partnership is to be formed (7) | Nationality and registration authority of residence (8) |
|-------------------------|----------------------|------------|------------------|-------------------|----------------------------|---|--|
| | | | | | | | |
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To the Registration Authority of
 (at an office specified in accordance with Schedule 23, Paragraph 4(1)(a) of the Civil Partnership Act 2004)
 I, the above-named (name and surname)
 of (place of residence)
 give you notice that I and (name and surname)
 of (place of residence)
 intend to form a civil partnership on the authority of a schedule within *one month/three months/twelve months from the date this notice is recorded and I declare as follows:

- I believe that there is no impediment of kindred or affinity or other lawful hindrance to the formation of the civil partnership.
- 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 areas of the registration authorities named in Column 8 above.
- In respect of myself, I am eighteen years of age or over.
- In respect of the said (name and surname) *he/she is eighteen years of age or over.
- 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 forming a civil partnership are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER SECTION 80(1)(a) OF THE CIVIL PARTNERSHIP ACT 2004.
- I also understand that if, in fact, there is an impediment of kindred or affinity or other lawful hindrance to the intended civil partnership the civil partnership may be invalid or void.

Signed Date.....
 In the presence of (name)..... (signature),
 a person authorised for that purpose by the Registration Authority.
 Place of residence Registration Authority.
 * Delete whichever does not apply

**NOTICE OF CIVIL PARTNERSHIP
PARTICULARS RELATING TO THE PERSONS FORMING A CIVIL PARTNERSHIP**

**HYSBYSIAD PARTNERIAETH SIFIL
MANYLION YNGLŶN Â'R PERSONAU SY'N FFURFIO PARTNERIAETH SIFIL**

| Name and surname Enw a chyfenw (1) | Date of birth Dyddiad geni (2) | Sex Rhyw (3) | Condition Cyflwr (4) | Occupation Gwaith (5) | Period of residence Cylfnod preswylito (6) | Venue in which civil partnership is to be formed Lleoliad ble mae'r partneriaeth sifil i gael ei ffurfio (7) | Nationality and registration authority of residence Cenedligrwydd ac awdurdod cofrestru y breswylfa (8) |
|--|--------------------------------------|--------------------|----------------------------|-----------------------------|--|--|---|
| | | | | | | | |
| | | | | | | | |

To the Registration Authority of
(as an office specified in accordance with Schedule 23, Paragraph 4(1)(a) of the Civil Partnership Act 2004)

I, the above-named
(name and surname)

of
(place of residence)

give you notice that I and
(name and surname)

of
(place of residence)

intend to form a civil partnership on the authority of a schedule within *one month/three months/twelve months from the date this notice is recorded and I
declare as follows:

- I believe that there is no impediment of kindred or affinity or other lawful hindrance to the formation of the civil partnership.
- 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 areas of the registration authorities named in Column 8 above.
- In respect of myself, I am eighteen years of age or over.
- In respect of the said
(name and surname) *he/she is eighteen years of age or over.
- 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 forming a civil partnership are true. I understand that (any of the declarations are false) I MAY BE LIABLE TO PROSECUTION UNDER SECTION 80(1)(b) OF THE CIVIL PARTNERSHIP ACT 2004.
- I also understand that if, in fact, there is an impediment of kindred or affinity or other lawful hindrance to the intended civil partnership the civil partnership may be invalid or void.

At Awdurdod Cofrestru
(necan swyddfa a benodwyd yn unol ag Awdlenn 21, Paragraff 4(1)(a) o Ddeddf Partneriaeth Sifil 2004)

Yr wyf i a enw'r uchod
(enw a chyfenw)

o
(preswylfa)

yn eich hybysu â mod i a
(enw a chyfenw)

o
(preswylfa)

yn bwriadu ffurfio partneriaeth sifil trwy awdurdod arallder o fewn *misiwr misdeuddeg mis o'r dyddiad y cofnodir yr hybysiad hwn a gwirlyd datganiadau canlynol.

- Credaf nad oes rhywyst o min ach nac affineid nac unaihyw datngwyddol cyferbydol arall i ffurfiant y barnmaeth sifil.
- I'm preswylfa arfnoi i a phreswylfa arfnoi i a person arall a enwyd fod am gyffwrdd o saith niwmedd yn union cyn rhoi'r rhybysiad hwn fod o fewn ardaloddeyr awdarodadau cofrestru a enwyd yng Ngholofn 8 uchod.
- Ynglŷn â mi fy hun, yr wyf yn ddeunaw oed neu'n hŷn na hynny.
- Ynglŷn i
(enw a chyfenw) nac *eithi yn ddeunaw oed neu'n hŷn na hynny.
- Diganaaf ymhellach hyd eithaf fy ngwybodach, a'm cred fod y datganiadau a wnaed gennyf uchod ynghyd â'r manylion ynghyd â'r personau sy'n ffurfio partneriaeth sifil yn wir. Deallaf os oes unaihyw na o'i datganiadau yn ffing GALL AF FOD YN AGORED I ERLYNIAD O DAN ADRAN 80(1)(b) O DDEDDDF PARTNERIAETH SIFIL 2004.
- Deallaf hefyd os oes, mewn awstionedd, rhywyst o ran ach neu affineid neu unaihyw rhywyst cyferbydol arall i'r barnmaeth sifil arfethedig gall y barnmaeth sifil fod yn annilys neu'n ddiatym.

Signed
Llofnodwyd

In the presence of
Yng ar ystod

a person authorised for that purpose by the Registration Authority
person a awdurdodwyd ar ystod y pwrpas hwn gan yr Awdurdod Cofrestru

Place of residence
Ffeith yd

*Delete whichever does not apply/ diledd y na anberffwrddol

NOTICE OF CIVIL PARTNERSHIP
PARTICULARS RELATING TO THE PERSONS FORMING A CIVIL PARTNERSHIP

HYBYSIAD PARTNERIAETH SIFIL
MANYLION YNGLŶN Â'R PERSONAU SY'N FFURFIO PARTNERIAETH SIFIL

| Name and surname Enw a chyfenw (1) | Date of birth Dyddiad geni (2) | Sex Rhyw (3) | Condition Cyflwr (4) | Occupation Gwaith (5) | Period of residence Cyfnod preswyllo (6) | Venue in which civil partnership is to be formed Lleoliad ble mac'z barnieriaeth sifil i gael ei ffurfio (7) | Nationality and registration authority of residence Cenedligrwydd ac awdurdod cofrestru y breswylfa (8) |
|--|--------------------------------------|--------------------|----------------------------|-----------------------------|--|--|---|
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To the Registrar of Companies, at an office specified in accordance with Schedule 23, Paragraph 4 (1a) of the Civil Partnership Act 2004.

I, the above-named
 of
 give you notice that I and
 intend to form a civil partnership on the authority of a schedule with "these" name(s) to be inserted in the following table and I declare as follows:

- I believe that there is no impediment of kindred or affinity or other lawful hindrance to the formation of the civil partnership.
- 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 areas of the registration authorities named in Column 8 above.
- In respect of myself I am
 either "A" *I have reached the age of 16 years or over
 or "B" *I will reach the age of 16 years on (date)
 or (i) *I am a surviving civil partner
 or (ii) *I have obtained the consent of (name(s)) whose consent is required by law but has been obtained
 and/or the necessity of obtaining the consent of (name(s)) has been dispensed with as provided by law
 and/or (i) there is no person whose consent to the formation of the civil partnership is required by law
 or (ii) there is no person whose consent to the formation of the civil partnership is required by law.
- In respect of the said
 either "A" *he/she is eighteen years of age or over
 or "B" *he/she is under the age of eighteen years and
 or (i) *he/she is a surviving civil partner
 or (ii) *he/she has obtained the consent of (name(s)) whose consent is required by law but has been obtained
 and/or the necessity of obtaining the consent of (name(s)) has been dispensed with as provided by law
 and/or (i) there is no person whose consent to the formation of the civil partnership is required by law
 or (ii) there is no person whose consent to the formation of the civil partnership is required by law.
- 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 forming a civil partnership are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER SECTION 81(3)(A) OF THE CIVIL PARTNERSHIP ACT 2004.
- I also understand that if, in fact, there is an impediment of kindred or affinity or other lawful hindrance to the intended civil partnership the civil partnership may be invalid or void.

Signed
 In the presence of
 Yng nghyflwr
 a person authorised for that purpose by the Registrar of Companies
 Place of residence
 Lleoliad

Date
 Dyddiad
 (month)
 (diwrnod)

Registration Authority
 Awdurdod Cofrestru

*Delete whichever does not apply./Dilech yr un nad berthynodd

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Civil Partnership (Registration Provisions) Regulations 2005 to reflect the amendments made to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 by the Remedial Order made under section 10(2) of the Human Rights Act 1998 following judgement in the case of “Baiai and others v Secretary of State for the Home Department [2006] EWHC 823 QB”. The amendments in these Regulations remove the declaration on the forms giving notice of civil partnership which require a person subject to immigration control to provide evidence of eligibility.

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STATUTORY INSTRUMENTS

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Regulations 2011

£5.75