

Civil Partnership in Scotland – Information Leaflet RCP1

This leaflet gives general guidance only and should not be treated as a complete and authoritative statement of the law.

Further advice can be obtained from [Registration Offices](#) or by emailing National Records of Scotland (NRS) [Marriage & Civil Partnership team](#)

Types of Civil Partnership Registration

Your civil partnership can be registered in the following ways in Scotland:

A religious or belief ceremony – may only be registered by a minister, clergyman, pastor, priest or other person approved by the Registrar General.

A registration by a registrar with or without a ceremony – may only be conducted by a registrar or an assistant registrar who has been authorised by the Register General for that purpose.

By law both parties to a proposed civil partnership are required to submit civil partnership notice forms to the [registrar of the district](#) in which the civil partnership is to take place informing them of their intention to register their partnership.

Making arrangements for the civil partnership registration

It is important to make early arrangements to agree the date and time of your civil partnership.

For a **religious or belief ceremony**, contact the person performing the civil partnership before completing the civil partnership notice form ([CP10](#)).

For a **registration by a registrar with or without a ceremony**, contact the registrars to make an appointment to have your civil partnership registered. .

Arrange for two persons aged 16 years or over to be present at your civil partnership to act as witnesses. This is a requirement for all civil partnership registrations.

[Be sure to let the person performing the civil partnership know in advance of the registration taking place if you change your plans or decide to postpone your civil partnership.](#)

Who can register a civil partnership in Scotland?

Any two persons, regardless of sex or where they live, may register a civil partnership in Scotland provided that they are:-

- at least 16 years of age on the day of their civil partnership
- unmarried and not in a civil partnership (see Appendix One)

- capable of understanding the nature of a civil partnership and of consenting to the formation of the civil partnership
- not related to one another in a way which would prevent their registering their civil partnership (see appendix 1)

Can we change our civil partnership to a marriage?

Yes you can change your civil partnership to a marriage if:-

(i) your civil partnership was registered in Scotland, England, Wales or Northern Ireland and has not been dissolved, annulled or ended by death or

(ii) you have an overseas relationship registered outwith the United Kingdom which is treated as a civil partnership in UK and has not been dissolved, annulled or ended by death,

How do we notify our intention to register our civil partnership?

Contact the [registration office](#) located in the district where you intend to register your civil partnership.

The registration office will discuss how best to submit your civil partnership notice forms and accompanying documents.

Some offices may accept emailed copies of the forms but the originals **must** be received prior to the civil partnership registration.

Where can we obtain civil partnership notice forms?

Civil partnership notice forms can be downloaded from the National Records of Scotland website or obtained from a [Scottish Registration Office](#)

When should we submit our civil partnership notice forms?

Please check timescales with your local registration office, to avoid having to postpone your civil partnership ceremony/registration. The registrar must be in receipt of your completed civil partnership notices **no later than 29 days** before the intended civil partnership but **it is advisable to give 10 - 12 weeks' notice**, to allow time to check your notices and accompanying documents and ensure that there is no impediment to the proposed civil partnership.

Failing to give proper notice can result in a civil partnership being postponed or prevented from proceeding.

Only in exceptional circumstances will the Registrar General authorise a civil partnership to take place if 29 days' notice has not been given.

Where should we submit our civil partnership notice forms?

Completed civil partnership notice forms and accompanying documents should be submitted to the [registration office](#) located in the district where you intend to register your partnership.

When you give notice, you will be required to sign the declaration on your civil partnership notice form to confirm the information you have provided is correct.

Additional Document Requirements

Your civil partnership notice forms should be supplied to the registrar along with:-

- Your birth certificate or, if you are adopted, your adoption certificate
- Evidence of your usual residence
- Valid passport or other document to provide evidence of your nationality

Some offices may accept emailed copies of the forms but the originals MUST be received prior to the ceremony.

If:-

- **you have been married or in a registered civil partnership before** and the marriage or civil partnership has been dissolved or annulled, a decree of divorce or dissolution or annulment or a certified copy decree is required. A decree granted outwith Scotland must be absolute or final – a decree nisi is not acceptable.
- **you have a foreign divorce** you may need to complete the [Foreign Divorce Questionnaire](#)
- **you have a foreign dissolution** you may need to complete the [Foreign Dissolution Questionnaire](#)
- **your former spouse or civil partner is deceased**, a copy of their death certificate is required.
- **you are in an existing marriage**, a copy of your marriage certificate is required.
- **you are in a qualifying civil partnership**, a copy of your civil partnership certificate is required

Documents not in English must be accompanied by a certified English translation.

If you are a non-UK National who cannot obtain any of the relevant documents listed, please email the NRS [Marriage & Civil Partnership team](#).

Do not delay giving notice simply because you are waiting for any of the above documents. It is better to give notice first and then pass the documents to the registrar when they become available. However all documents must be made available to the registrar before the civil partnership registration can proceed.

Do I require a visa?

All non-UK nationals will be required to complete and submit a [Declaration of Status by Non-UK Nationals](#) and provide evidence in support of their declaration with their civil partnership notice form.

If you are a non-UK national, under provisions in the Immigration Act 2014 you should be aware that if you are not a '**relevant national**', or you do not have **appropriate immigration status** or a **relevant visa**, your proposed civil partnership will be referred to the Home Office for investigation.

A **relevant national** is defined as a person who is:

- a British citizen;
- an Irish citizen;
- a person with EU Settlement Scheme (EUSS) settled status;
- a person with EUSS pre-settled status; or
- a person with a pending application to the EUSS made before 30 June 2021

If you have **EU Settlement Scheme (EUSS)** status, please share your nine digit 'share code' with the registrar. Your share code can be sent by email, you can print the information from the government website, or you can write down the share code and provide it to the registrar.

To apply for a share code to allow the registrar to check your immigration status please visit the [GOV.UK Website](#) .

If a decision is still pending on your EUSS application status, you should submit your Certificate of Application as evidence of your 'relevant national' status.

Appropriate immigration status for civil partnership in Scotland is:

- Exemption from immigration control
- Settled status in the UK

Relevant visa means a visa issued for the purpose of allowing entry into the UK for the proposed civil partnership:

- Marriage/Civil partnership visitor visa
- Fiancé(e)/ Spouse visa

Information about obtaining a visa can be found on the [GOV.UK Website](#)
[Please ensure that you apply for your visa in sufficient time.](#)

Registrars have a statutory duty to report any civil partnership they suspect is being entered into for the purpose of evading statutory immigration controls.

Do we need a visa to visit Scotland if we want to change our civil partnership registered in Scotland to a marriage?

You may not need a visa but you must meet the standard visitor eligibility requirements and you will need to provide evidence to show that you are in an existing civil partnership when you enter the UK. Information is available on the [GOV.UK Website](#) . Please also read the attached [information](#) (92kb) which details Home Office requirements.

Fees Payable

The registrar will advise you of the [fees payable](#) and methods for payment.

The Civil Partnership Schedule

Your civil partnership cannot proceed without your Civil Partnership Schedule

- When the registrar is satisfied that there is no legal impediment to the civil partnership, they will prepare a Civil Partnership Schedule from the information you have given them.
- **Religious or Belief Civil Partnership** – The Civil Partnership Schedule will be issued to you by the registrar, not more than seven days before your civil partnership takes place. The registrar will make arrangements with you regarding collection of your Schedule. The Schedule **must** be collected by one or both of the parties to the civil partnership. It cannot be collected on your behalf.
- The Civil Partnership Schedule must be produced to the person performing the civil partnership before the civil partnership ceremony can take place.
- Immediately after the ceremony, the Schedule must be signed in best quality permanent black fountain pen ink by both parties, by the person performing the civil partnership and by the two witnesses. Thereafter it must be returned to the registrar within three days so that they can register the civil partnership.
- Civil partnership registration by a registrar – The registrar will provide the Civil Partnership Schedule. The Schedule must be signed in best quality permanent black fountain pen ink by both parties, by the registrar performing the civil partnership and by the two witnesses. Thereafter the registrar will register the civil partnership.

Civil Partnership Certificate

After the civil partnership has been registered, you can obtain copies of the civil partnership certificate from the registrar on payment of the appropriate fee.

If you require an urgent copy of your civil partnership certificate, please notify the registrar when you collect your Civil Partnership Schedule.

Our Civil Partnership plans have changed

Should your civil partnership plans change or you wish to postpone your civil partnership please notify the registrar in advance of the registration taking place as soon as possible.

Further information

Further advice can be obtained from [Registration Offices](#) or by emailing [Marriage & Civil Partnership team](#).

Appendix One

Degrees of Relationships within which civil partnership is unlawful

1. Relationships by consanguinity (blood or half-blood relations)

Parent
Child
Grandparent
Grandchild
Sibling
Aunt or Uncle
Niece or Nephew
Great-grandparent
Great-grandchild

2. Relationships by affinity (by marriage or civil partnership)

Parties in this list can marry if both are 21 years of age or over **and** the younger party has not, before their 18th Birthday, lived in the same household as the other party and been treated by that person as a child of the family.

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

If this criteria applies, please seek further guidance from your registrar.

3. Relationships by adoption

Adoptive parent or former adoptive parent
Adopted child or former adopted child