

ANGUS COUNCIL

RESOURCES AND CENTRAL SERVICES COMMITTEE – 1 SEPTEMBER 2005

CIVIL PARTNERSHIP REGISTRATION CEREMONIES

REPORT BY THE DIRECTOR OF LAW AND ADMINISTRATION

ABSTRACT

This purpose of this Report is to ask the Committee to determine a policy in relation to the provision of “ceremonies” as part of the civil partnership registration process.

1. RECOMMENDATIONS

The Committee is asked to agree:

- (i) that the choice of a ceremony to accompany the civil partnership registration process be offered to those couples who request this service, in all Council Registration Offices and approved external venues within Angus; and
- (ii) that the fees for civil partnership ceremonies should be similar to those charged for civil marriages.

2. BACKGROUND

Reference is made to Article 19 of the minute of the meeting of this Committee held on 16 June 2005 regarding the introduction of same sex civil partnerships under the Civil Partnership Act 2004 from December 2005.

The Committee noted a number of procedural issues which required to be addressed prior to the implementation of the Act. The Committee also agreed to adopt the list of approved places for civil marriages for the purpose of registration of civil partnerships.

3. PROVISION OF CEREMONIES

The statutory requirement is for the local registration authority to undertake the legal preliminaries and register a civil partnership. This function consists of accepting and processing the completed civil partnership application forms and causing the Schedule to be signed by both parties, two witnesses and the Registrar or Assistant Registrar, after which the details are entered in the Civil Partnership Register. The signing of the Schedule can be a relatively simple occasion, attended only by both partners and two witnesses in the presence of the Registrar. Alternatively, couples may wish to enhance this event with personal statements and/or readings and the attendance of guests, either in a Registration Office or at an approved venue.

The Registrar General for Scotland has always emphasised that the Act does not call for any declaratory words to be said by the parties. He has agreed to issue guidance to assist any Registrar who is unsure on how to proceed with the registration. This guidance could form a basis on which the Registrar and the intending partners can build a personal ceremony. The guidance will be issued in due course, but at this stage it is considered appropriate for the Council to confirm to interested parties that Registrars will offer this service.

4. FINANCIAL IMPLICATIONS

The fees for civil partnership registration will be statutory and therefore will be set by the Registrar General for Scotland. However, as civil partnership **ceremonies** are discretionary, the Council is free to set its own fees for this service. It is proposed that the fees for civil partnership ceremonies should be the same as those set by the Committee for civil marriages on 3 February 2005, whether they be held in Registration Offices or external approved venues.

5. HUMAN RIGHTS IMPLICATIONS

It is considered that, by following the recommendations in this Report, the Council would not be acting in any way incompatible with human rights legislation.

6. CONCLUSION

Angus Council's registration staff are committed to ensuring that civil partnership registration is carried out with a high level of care and attention. However, some couples may wish to enhance the registration with a solemn and dignified ceremony in order to underline the seriousness of the relationship and the legal consequences. It would therefore be appropriate for the Council to offer a ceremony for civil partnership registration to those couples who request one.

7. CONSULTATION

The Chief Executive, the Acting Director of Finance and the Personnel Services Manager have been consulted in the preparation of this Report.

CATHERINE A COULL
Director of Law and Administration

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information), were relied on to any material extent in preparing this report.