



CIVIL PARTNERSHIP REGISTRATION IN SCOTLAND

(NOTES)
to Form CP10

GUIDANCE NOTES TO HELP YOU COMPLETE THE CIVIL PARTNERSHIP NOTICE APPLICATION FORM CP10

(These notes are not part of the form CP10 prescribed under the Civil Partnership Act 2004)

If you are planning to register your civil partnership in Scotland, please read these notes carefully

NOTE 1 – HOW AND WHEN TO GIVE NOTICE *(To help you complete Section A1)*

PLEASE DO NOT SEND COMPLETED FORMS AND DOCUMENTS TO NATIONAL RECORDS OF SCOTLAND (NRS). Forms and documents must be sent to the registrar in the local authority district where the proposed civil partnership registration is to take place.

Fill in your proposed date of civil partnership registration at A1. Remember that by law both parties to a proposed civil partnership registration must submit civil partnership notice forms **to the registrar of the district in which the civil partnership registration is to take place**, informing the registrar of their intention to do so. This means that both parties must be aware of the proposed civil partnership registration and independently complete and sign the declaration on the civil partnership notice form. Failure to give proper notice can result in a civil partnership registration being postponed or prevented from proceeding. Notice must be given in the three-month period prior to the date of civil partnership registration and **NOT LATER THAN 29 DAYS BEFORE THE DATE OF REGISTRATION OF THE CIVIL PARTNERSHIP**.

Timing is important. You must submit the notices early enough to enable the registrar to be satisfied that you are free to register a civil partnership. Normally notices should be in the registrar's hands about TEN to TWELVE weeks beforehand. **The minimum period is 29 days before the date of the proposed civil partnership registration, but if you leave things as late as this you could be faced with the need to postpone your civil partnership registration.** Only in exceptional circumstances will the Registrar General authorise a civil partnership registration to take place if 29 days' notice has not been given.

If you are having a religious or belief registration contact the **religious or belief** celebrant who is to perform the registration before completing the civil partnership notice. For a civil registration make advance arrangements with the registrar. This is particularly important if the civil partnership registration is to be in towns and cities, where large numbers of people may want to register civil partnerships at certain times of the year.

Although you need not both attend personally at the registrar's office to hand in your civil partnership notice, at least one of you may be asked to attend there personally before the date of the civil partnership registration. You will need, in the case of a religious or belief registration, to collect the Civil Partnership Schedule (see 11 below) or, in the case of a civil registration, to finalise arrangements with the registrar.

When you give notice you will be required to sign a declaration to the effect that the information given on your notice is correct. Do not delay giving notice simply because you are waiting for any of the documents mentioned at note 10 to come to hand. If time is getting short it is better to give notice first and then pass the documents to the registrar when they become available; but they must be made available to the registrar in advance of the civil partnership registration. Provided the documents are in order the civil partnership registration can proceed as arranged. **As a safeguard against simultaneous marriage and/or civil partnership the Registrar General makes a subsequent check of the information.**

NOTE 2 – FEES

The registrar will be able to advise on the fee payable to them to register your civil partnership, depending on whether you intend to have a civil registration or a religious or belief registration. If applicable, a fee may also be required for the attendance of an authorised registrar if the location is somewhere other than the registration office.

NOTE 3 – PLACE OF CIVIL PARTNERSHIP REGISTRATION *(To help you complete Section A2)*

Each of you must submit a civil partnership registration notice, along with the required documents (see note 10) and the appropriate fee, to the **registrar for the district in which the civil partnership registration is to take place**.

You can obtain civil partnership registration notice forms from any registrar of births, deaths and marriages in Scotland, or from the National Records of Scotland (NRS) website. You can get the address of your local registrar from the phone book, the local authority website or the NRS website www.nrscotland.gov.uk.

NOTE 4 – STATUS *(To help you complete Section B)*

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

- both persons are at least 16 years of age on the day they wish to register their civil partnership.

- they are not related to one another in a way which would prevent their registering their civil partnership (see the list at the end of the Civil Partnership in Scotland leaflet).
- each is unmarried or not already registered as a civil partner (any person who has already been married or registered as a civil partner must produce documentary evidence that the previous marriage or civil partnership registration has been ended by death, divorce, annulment or dissolution).
- they are capable of understanding the nature of what it is to register a civil partnership and of consenting to do so.

NOTE 5 – RESIDENCE

The registrar will require to see evidence of your usual residence.

NOTE 6 – IMMIGRATION CONTROLS

If you are subject to immigration controls you will have to provide extra documentation to that outlined in these notes. In particular, you will need to provide a Declaration of Immigration Status form which can be obtained from the registrar or the NRS website. Evidence to support the statement you make on the Declaration of Immigration Status form will also be required. If you are in any doubt about what is required, or if you need further information, you should consult the registrar or contact NRS.

NOTE 7 – ABOUT YOUR FATHER/PARENT OR MOTHER/PARENT (To help you complete Sections C and D)

In completing these questions, if you are adopted the details relate to your adoptive parents. In relation to same-sex parents “parent” is as defined by the Human Fertilisation and Embryology Act 2008. It also relates to same-sex adoptive parents. The use of “parent” is confined to these circumstances only and does not, for example, apply to “step-parent”

NOTE 8 – ABOUT YOUR PARENTS (To help you complete Section E)

The questions are asked to enable the registrar to insert your mother’s maiden surname appropriately in your Civil Partnership Schedule.

NOTE 9 – THE CELEBRANT (To help you complete Section F)

A civil partnership may be registered by a district registrar or an assistant registrar or a religious or belief celebrant who has been authorised by the Registrar General for that purpose or whose religious or belief body has been prescribed in regulations under the Civil Partnership Act 2004.

NOTE 10 – OTHER PARTY TO THE CIVIL PARTNERSHIP (To help you complete Section G)

Each of you must complete a civil partnership registration notice to be submitted to the registrar.

NOTE 11 – DOCUMENTS YOU WILL NEED TO PRODUCE (To help you complete Section H)

When giving or sending the civil partnership registration notice forms to the registrar each of you must supply the following documents:

H27: Your genuine **birth** certificate, or, if you are adopted, your adoption certificate. An unauthorised photocopy is not acceptable. If you are unable to produce your birth or adoption certificate, state the reason.

H28: If you have been married or have been in a civil partnership before and the marriage or civil partnership ended in divorce, annulment or dissolution, a certificate of **divorce** or **annulment** or a **certified copy decree** or **decree of dissolution**. A decree of divorce granted outwith Scotland must be absolute or final – a decree nisi is not acceptable. If you have been married or have been in a civil partnership more than once, only the document relating to the termination of the most recent marriage or civil partnership is required. If you are unable to produce the official degree of divorce, annulment or dissolution, state the reason for not doing so. The registrar will require proof of the termination of the earlier marriage or civil partnership.

H29: If your former spouse or civil partner is deceased, the **death certificate** of your former spouse or civil partner. 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 death.

H30: If you are in an existing civil partnership you should provide your **civil partnership certificate**. If you are unable to produce your civil partnership certificate, state the reason for not doing so. The registrar will require proof of your civil partnership.

If any document is in a language other than English, you must also provide a certified translation into English.

If you are domiciled outside the UK you must follow the normal procedure of giving notice to the registrar in Scotland, but you may have to provide extra documentation.

If you are in any doubt about what is required, or if you need further information, you should consult the registrar or write to the National Records of Scotland at the email address shown at the end of these notes.

NOTE 12 – CIVIL PARTNERSHIP SCHEDULE

When the registrar is satisfied there is no legal impediment to the civil partnership registration, he/she will prepare a civil partnership registration Schedule from the information you have given. The schedule is a most important document – **no civil partnership registration can proceed without it.**

If a religious or belief celebrant is registering your civil partnership the Civil Partnership Schedule will be issued to you by the registrar. The Schedule cannot be issued more than seven days before the civil partnership and the registrar will advise you when to call to collect it. **The Schedule cannot be collected on your behalf by a relative or friend – the registrar will issue it only to one or both of the parties to the intended civil partnership.**

The Civil Partnership Schedule **must** be produced before the civil partnership registration to the person registering it.

Both parties must confirm that (to the best of their knowledge and belief) the particulars set out in the Schedule are correct and it must be signed by both parties, by the person registering the civil partnership and by the two witnesses. As the Schedule is a permanent record an appropriate permanent black liquid ink should be used when signing it – a ball-point pen should **not** be used. Thereafter you must arrange for it to be **returned to the registrar within three days** so that the civil partnership can be registered.

If a registrar is registering your civil partnership the registrar will not issue the Schedule to you in advance, but will have it available at the civil partnership registration for signature, and will subsequently register the civil partnership.

NOTE 13 – CHANGE OF PLANS

Be sure to let the religious or belief celebrant or the registrar know if you change your plans or decide to postpone your civil partnership registration.

For further information:

Contact any local registrar of births, deaths and marriages or the Marriage and Civil Partnership Section at the National Records of Scotland who can be contacted by emailing civilpartnership@nrscotland.gov.uk.

NOTE:- Forms and documents must be sent to the registrar in the local authority district where the proposed civil partnership registration is to take place and not to NRS.



CIVIL PARTNERSHIP NOTICE - SCOTLAND

Form CP10

(Section 88 of the Civil Partnership Act 2004)

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

A About the proposed Civil Partnership Registration

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

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"/>	Previous Civil Partnership dissolved	<input type="checkbox"/>
Surviving Civil Partner	<input type="checkbox"/>	Previous Civil Partnership annulled	<input type="checkbox"/>
Previous marriage annulled	<input type="checkbox"/>	Existing Civil Partnership	<input type="checkbox"/>
8. Date of Birth	Year	Month	Day
9. Country of birth	10. Country of residence		11. Nationality
12. Usual residence			
Postcode			

C About your father/parent

13. (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 his/her death) if different from (b)	
14. Present or last occupation	
15. Retired (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>
16. Is he/she still living? (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>

D About your mother/parent

17. (a) Forename(s)	
(b) Surname(s) at time of your 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)	
19. Present or last occupation	
20. Retired (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>
21. Is she/he still living? (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>

E About your parents

22. 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"/>

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

23. Person who is to register the Civil Partnership?
24. Denomination or body to which (s)he is attached?

G About the other party to the Civil Partnership

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

H Documents to be submitted by you with this Notice

<p>27. FOR ALL PERSONS</p> <p>Is your birth certificate enclosed? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p><i>(tick box)</i></p>	<p><i>If you are unable to produce your birth certificate, state the reason here.</i></p>
<p>28. 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"/></p> <p><i>(tick box)</i></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>29. 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"/></p> <p><i>(tick box)</i></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>30. 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"/></p> <p><i>(tick box)</i></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>

31. 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 register a Civil Partnership 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 the registration of our Civil Partnership;
- (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.

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 Civil Partnership Notice which is false or has been forged in any way is liable to prosecution.