



Civil Partnership Act 2004

RECOMMENDATION

- 1.1 To delegate the function of administering Civil Partnerships to the Director of Corporate Services.
- 1.2 To amend Part 3 of the Constitution, Page 79, paragraph A 2) to read:

“Registration Services including births, deaths, marriages, civil ceremonies and civil partnerships.”

SUPPORTING INFORMATION

- 2.1 The Civil Partnership Act 2004 places a duty on those local authorities which are responsible for the registration of births, deaths and marriages, to make arrangements for the registration of civil partnerships. Regulations bring the provisions into force from 5 December 2005.
- 2.2 It is necessary to delegate this new function. I am already responsible for the Council's duties in relation to the registration of births, deaths and marriages. It is proposed, therefore, to add civil partnerships to my existing delegation.
- 2.3 For some time, the Council has offered optional civil services, including commitment ceremonies for same sex couples. Hitherto, these ceremonies have been purely symbolic and carried no legal rights or responsibilities. Couples wishing to register their partnership under the 2004 Act cannot be compelled also to have a commitment ceremony but will be offered this additional service to mark the occasion.
- 2.4 The arrangements for forming and registering civil partnerships are intended to mirror those for civil marriage. The principal features are:
 - To be eligible to register a civil partnership, the two people concerned must be:
 - of the same sex
 - over 18 (or be able to provide evidence of consent if 16 or 17)
 - not in an existing marriage or existing civil partnership
 - not related to each other within the prohibited degrees of relationship.

- Registrations must take place in a Register Office or premises approved for civil marriage ceremonies
- Registrations must be carried out by a registrar appointed by the local authority
- Couples must give 15 days notice of the intention to form a civil partnership.

2.5 Further information about civil partnerships can be obtained from www.womenandequalityunit.gov.uk/lgbt/partnership.htm.

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Background papers:	None – all published
List of appendices:	Appendix 1 – Implications

IMPLICATIONS

Financial

1. There will be statutory fees for giving notice of, and registering, civil partnerships. Separate charges are made for commitment ceremonies under the Council's well-being powers.

Legal

2. The statutory provisions relating to civil partnerships are contained in the Civil Partnership Act 2004 and associated regulations.

Personnel

- 3.1 Existing Registrars of Births, Deaths and Marriages will also be designated as registrars under the Civil Partnership Act 2004.
- 3.2 Current indications are that there will not be a significant increase in workload at the Derby Register Office arising from the new duties.

Equalities Impact

4. The 2004 Act is intended to address inequality by giving gay and lesbian couples similar rights and responsibilities to married couples.

Corporate Themes and Priorities

5. None directly arising.