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Equal Opportunities Committee

1. The remit of the Equal Opportunities Committee is to consider and report on matters relating to equal opportunities and upon the observance of equal opportunities within the Parliament.

2. In these Rules, “equal opportunities” includes the prevention, elimination or regulation of discrimination between persons on grounds of sex or marital status, on racial grounds or on grounds of disability, age, sexual orientation, language or social origin or of other personal attributes, including beliefs or opinions such as religious beliefs or political opinions.”

(Standing Orders of the Scottish Parliament, Rule 6.9)

www.scottish.parliament.uk/equalopps

@equal.opportunities@scottish.parliament.uk

0131 347 5408

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Committee Membership

**Convener**
Margaret McCulloch  
Scottish Labour

**Deputy Convener**
Sandra White  
Scottish National Party

**Christian Allard**
Scottish National Party

**John Finnie**
Independent

**Annabel Goldie**
Scottish Conservative and Unionist Party

**John Mason**
Scottish National Party

**Drew Smith**
Scottish Labour
Introduction

1. At its meeting on 24 September 2015, the Equal Opportunities Committee formally considered the following instrument—

Qualifying Civil Partnership Modification (Scotland) Order 2015 [draft]

2. The instrument was first laid on 31 August. It was then subsequently withdrawn and re-laid on 9 September 2015. The timetable for consideration of the instrument remained the same.

3. It was referred to the Equal Opportunities Committee as lead committee as it relates to the Marriage and Civil Partnership (Scotland) Act 2014 ("the 2014 Act").

4. The Qualifying Civil Partnership Modification (Scotland) Order 2015 [draft] ("the Order") modifies the meaning of qualifying civil partnership in section 5(6) of the Marriage (Scotland) Act 1977 ("the 1977 Act") so as to include civil partnerships registered outside Scotland and makes amendments to the 1977 Act and the 2014 Act related to that modification.

5. These changes allow for a civil partnership which has been registered outwith Scotland to be converted into a same-sex marriage in Scotland. In order to achieve this, couples must hold a marriage ceremony.

6. The Order also provides that the date on which an overseas civil partnership was registered as having being entered into will determine from which date the couple are regarded as being married.

7. The couple will only be considered as being married from the date on which their partnership was registered as having being entered into if that date falls after 5 December 2005. If the partnership was registered as having being entered into before that date, the couple will be regarded as having being married since 5 December 2005. This is because 5 December 2005 was the date on which civil partnerships were first recognised in Scotland.

Delegated Powers and Law Reform Committee consideration

8. The Delegated Powers and Law Reform Committee considered this instrument at its meeting on 15 September 2015 and agreed that it did not need to draw the attention of the Parliament to it under any of the grounds within its remit.
Equal Opportunities Committee consideration


10. The Minister moved the motion lodged in his name: S4M-14271—That the Equal Opportunities Committee recommends that the Qualifying Civil Partnership Modification (Scotland) Order 2015 [draft] be approved

11. The motion was agreed to.