



RELIGIOUS SOCIETY OF FRIENDS  
**GENERAL MEETING FOR SCOTLAND**

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19 March 2015

Simon Stockwell  
Family and Property Law  
Scottish Government  
Room GW.15  
St Andrew's House  
Regent Road  
EDINBURGH  
EH1 3DG

**Marriage And Civil Partnership (Scotland) Act 2014: Section 9  
Changing Civil Partnerships Registered Outwith Scotland To Marriage In Scotland**

Dear Simon Stockwell,

I refer to the consultation discussion paper outlining the Scottish Government's proposals in relation to making an Order under section 9 of the Marriage and Civil Partnership (Scotland) Act 2014 ("the 2014 Act") which will allow persons in a civil partnership registered outwith Scotland to change that civil partnership into a marriage in Scotland. We have seen the discussion paper through our membership of the Scottish Churches Parliamentary Office.

While Quakers in Scotland have not been consulted directly on this, we feel that as one of only two Christian denominations actually conducting same sex marriages, we should submit comments ourselves, especially as other churches may not share our general approach.

We have already celebrated one same sex marriage under the new legislation and anticipate others soon. We have at least one couple who have had a civil partnership registered outside Scotland and may wish to marry in Scotland. We also anticipate that there may be others in due course.

In general, Quakers wish to support the possibility of converting civil partnerships registered outside Scotland into marriages recognised by Scottish law, providing the couple appreciate the complications that could arise in terms of recognition if they subsequently move away from Scotland.

Quakers support the principle of backdating the marriage to the original date of the civil partnership as is the case where civil partnerships are registered in Scotland, while recognising there are practical and legal problems where the civil partnership was registered outside the United Kingdom.

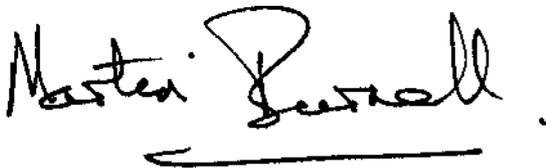
We feel strongly that within England, Wales and Scotland there should be full reciprocal recognition of civil partnerships, irrespective of the country in which they were registered. We note that the Civil Partnership Act 2004 was **UK-wide** legislation, establishing the right to register a civil partnership in England, Wales and Scotland. It would seem to be a breach of equalities for some

marriages to be backdated and others not according to the part of the United Kingdom in which the civil partnership was registered. We believe that it should be possible for the registration authorities in England, Wales and Scotland to come to some arrangement for the sharing of information and for some agreement to be reached as to the status of the civil partnership when it has been converted to a marriage in a different part of the United Kingdom.

The majority of difficulties outlined in paragraph 49 of the consultation paper apply to civil partnership registered outside the United Kingdom and not to those registered in England and Wales.

We ask that we are included in the consultation about the proposed draft Order, in line with section 9 of the 2014 Act. We also request that the Scottish Unitarian Association, who are also conducting same sex marriages, should be consulted on this draft Order.

In Friendship,

A handwritten signature in black ink that reads "Martin Burnell". The signature is written in a cursive style with a large, looped 'M' and 'B'. Below the signature is a horizontal line that starts under the 'M' and ends under the 'B', with a small dot at the end of the line.

Martin Burnell

Clerk: General Meeting for Scotland,  
of the Religious Society of Friends (Quakers)