CONSULTATION QUESTIONS

The registration of civil partnerships

Question 1  (Paragraphs 2.12 and 2.13)

Do you agree that legislation should be changed so that civil partnerships could be registered through religious ceremonies?

Yes x  No □

Don’t know □

Please give reasons for your answer.

Comments

Question 2  (Paragraphs 2.14 to 2.19)

Do you think that the proposals in England and Wales on registration of civil partnerships in religious premises would be appropriate for Scotland?

Yes □  No X □

Don’t know □

If you have answered no, please explain what elements of the proposals in England and Wales you consider inappropriate for Scotland.

Comments

Too complex and based on different traditions
### Question 3  (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in religious premises?

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Please give reasons for your answer

**Comments**

Equity

### Question 4  (Paragraphs 2.20 to 2.24)

Do you agree with allowing religious celebrants to register civil partnerships in other places agreed between the celebrant and the couple?

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Please give reasons for your answer

**Comments**

Equity
Question 5  (Paragraph 2.25)

Do you agree that religious bodies should not be required to register civil partnerships?

Yes ☑
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

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Question 6  (Paragraphs 2.26 and 2.27)

Do you consider that religious celebrants should not be allowed to register civil partnerships if their religious body has decided against registering civil partnerships?

Yes ☑
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

This would be consistent with the current arrangements for recognising religious bodies and the rights of their clergy to solemnise marriages and not deal with individual celebrants from within these bodies
Question 7 (Paragraphs 2.28 to 2.30)
Do you agree that individual religious celebrants should not be required to register civil partnerships?

- Yes ☐
- No ☐
- Don’t know ☐

Please give reasons for your answer

Comments

A matter for the religious denomination

Question 8  (Paragraphs 2.31 to 2.35)
Which of the options do you favour to ensure that religious bodies and celebrants do not have to register civil partnerships against their will?

Do you favour:

- Option 1  X ☐
- Option 2 ☐
- Neither ☐

If you have another option, please describe it.

Comments
Question 9  (Paragraphs 2.36 to 2.40)

Religious bodies may not wish their premises to be used to register civil partnerships. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?

Yes    X
No
Don’t know

Please give reasons for your answer

Comments
### Question 10  (Paragraphs 3.11 and 3.12)

Do you agree that the law in Scotland should be changed to allow same sex marriage?

- **Yes** [X]  
- **No**  
- **Don’t know**  

Please give reasons for your answer

**Comments**

- Public Equality duties

### Question 11  (Paragraph 3.13)

Do you agree that religious bodies and celebrants should not be required to solemnise same sex marriage?

- **Yes** [X]  
- **No**  
- **Don’t know**  

Please give reasons for your answer

**Comments**
Question 12  (Paragraphs 3.14 to 3.18)

Do you agree with the introduction of same-sex civil marriage only?

Yes [ ]
No [X]
Don’t know [ ]

Please give reasons for your answer

Comments

The principle of equality is indivisible

Question 13  (Paragraph 3.19)

Do you agree with the introduction of same-sex marriage, both religious and civil?

Yes [X]
No [ ]
Don’t know [ ]

Please give reasons for your answer

Comments
Question 14  (Paragraphs 3.23 and 3.24)

Do you agree that religious bodies should not be required to solemnise same sex marriage?

Yes ☑
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

Question 15  (Paragraphs 3.25 and 3.26)

Do you consider that religious celebrants should not be allowed to solemnise same sex marriages if their religious body has decided against solemnising same sex marriage?

Yes ☑
No ☐
Don't know ☐

Please give reasons for your answer

Comments

See answer to 6
### Question 16 (Paragraphs 3.27 and 3.28)

Do you agree that individual religious celebrants should not be required to solemnise same sex marriage?

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Please give reasons for your answer

**Comments**

A matter for the religious denomination

### Question 17 (Paragraphs 3.29 to 3.33)

Which of the options do you favour to ensure that religious bodies and celebrants do not have to solemnise same sex marriage against their will?

Do you favour:

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Please give reasons for your answer and if you have another option, please describe it.

**Comments**
Question 18 (Paragraphs 3.34 to 3.39)

Religious bodies may not wish their premises to be used to solemnise same-sex marriage. Do you agree that no legislative provision is required to ensure religious premises cannot be used against the wishes of the relevant religious body?

Yes ☑
No ☐
Don’t know ☐

Please give reasons for your answer

Comments

Question 19 (Paragraph 3.41)

If Scotland should introduce same-sex marriage, do you consider that civil partnerships should remain available?

Yes ☐
No ☐
Don’t know X ☑

Please give reasons for your answer

Comments

Probably not, but perhaps, after a transitional period, there should be an assessment based on the statistics
Question 20 (Paragraph 4.19)

Do you have any other comments?

Yes ☐
No ☐

We are particularly interested in your views on:

- potential implications of the proposals for transgender people (paragraph 3.42)
- possible transitional arrangements (paragraphs 3.43 and 3.44);
- recognition of Scottish same sex marriages elsewhere (paragraphs 3.45 to 3.49);
- any comments on forced marriage (paragraphs 3.51 and 3.52)
- any comments on sham marriage (paragraph 3.53)
- potential financial implications (paragraphs 4.01 to 4.08);
- potential equality implications (paragraphs 4.09 to 4.14).

Comments

Content with the position as set out in 3.20

Understand that Scottish Government would wish to protect the rights of religious bodies not to participate and would address this by exemptions under Equality Act 2010

The direct interest to the Council is the impact on the delivery of Registration Services. Civil registrars have adapted well to the duties surrounding introduction of civil partnerships. There is no reason to anticipate any difficulties further adapting to the proposed changes to allow same sex civil marriages.

Any additional costs should be met in full. It is not anticipated that these would be significant