



Jersey

**CIVIL PARTNERSHIP (PROCEDURES,  
SPECIAL CIRCUMSTANCES AND  
APPROVED LOCATIONS) (JERSEY) ORDER  
2023**

**Official Consolidated Version**

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

12.260.70

Showing the law from 1 January 2024 to Current



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## **CIVIL PARTNERSHIP (PROCEDURES, SPECIAL CIRCUMSTANCES AND APPROVED LOCATIONS) (JERSEY) ORDER 2023**

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Jersey

## **CIVIL PARTNERSHIP (PROCEDURES, SPECIAL CIRCUMSTANCES AND APPROVED LOCATIONS) (JERSEY) ORDER 2023**

**THE MINISTER FOR HOME AFFAIRS** makes this Order under Articles 3, 6B, 7, 9, 12, 13, 14B, 17, 18, 21A, 25, 26AC, 26AA and 72A of the [Civil Partnership \(Jersey\) Law 2012](#) –

Commencement [[see endnotes](#)]

### **PART 1**

#### **INTRODUCTORY**

#### **1 Interpretation**

In this Order –

“administering authority” means a person that manages or is responsible for a location;

“approved location” means a location approved for the solemnisation of civil partnerships in accordance with the scheme for approval set out in Part 4;

“Law” means the [Civil Partnership \(Jersey\) Law 2012](#);

“person organising the solemnisation of a civil partnership” includes –

- (a) a party to the civil partnership; and
- (b) a person contracted by the parties to the civil partnership for the purpose of organising the civil partnership celebration;

“relevant authority” means an authority that is responsible for issuing a licence or other permission required in relation to the use of a location;

“responsible person” means –

- (a) a person organising the solemnisation of a civil partnership; or
- (b) the proprietor, trustee, managing agent or administering authority of a location.

## PART 2

### PROCEDURES, NOTICES AND FORMS FOR CIVIL PARTNERSHIP

#### 2 Application for notice of intended civil partnership

An application under Article 6B of the Law for a notice of intended civil partnership must contain the following particulars –

- (a) for each person who is a party to the intended civil partnership, that person’s –
  - (i) forenames as they appear on the person’s birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person’s birth certificate (and deed poll, if applicable),
  - (iii) date of birth,
  - (iv) place of birth,
  - (v) nationality,
  - (vi) usual place of residence,
  - (vii) period of residence at usual place of residence,
  - (viii) civil status,
  - (ix) immigration status,
  - (x) sex (and gender, if different from sex), and
  - (xi) occupation or profession;
- (b) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
- (c) a declaration signed by each person who made the application stating “I hereby confirm that the information provided is correct to the best of my knowledge”;
- (d) a statement as to whether a certificate of freedom to form a civil partnership will be provided;
- (e) if the application relates to a certificate of no impediment to formation of a civil partnership for the solemnisation of a civil partnership outside Jersey –
  - (i) a statement to that effect, and
  - (ii) the name of the applicant for that certificate;
- (f) the name of the civil partnership celebrant, if one has been chosen;
- (g) the full name and physical address and, if different, the postal address of the approved location at which the civil partnership is proposed to be solemnised, and the alternative location if applicable;
- (h) the proposed date of civil partnership; and
- (i) the proposed time of civil partnership.

#### 3 Notice of intended civil partnership form

A form of notice of intended civil partnership under Article 7 of the Law must include the following particulars –

- (a) for each person who is a party to the intended civil partnership, the person's –
  - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),
  - (iii) date of birth,
  - (iv) nationality,
  - (v) usual place of residence,
  - (vi) period of residence at usual place of residence,
  - (vii) civil status, and
  - (viii) occupation or profession;
- (b) the full name and physical address and, if different, the postal address of the approved location at which the civil partnership is proposed to be solemnised, and the alternative location if applicable;
- (c) a declaration by the parties to the civil partnership stating “We hereby give notice that we intend to form a civil partnership with each other on <date>, that <date> being not more than 12 months from the date on which we signed this notice”; and
- (d) the signature, printed names and date of signing of both parties to the civil partnership.

#### **4 Freedom to form a civil partnership declaration**

A freedom to form a civil partnership declaration must, in addition to the declaration set out in Article 7(8) of the Law, include the following particulars –

- (a) the full name and signature of the person making the declaration of freedom to form a civil partnership;
- (b) the date the declaration was signed;
- (c) the date, time and parish of the intended civil partnership; and
- (d) the full name and physical address and, if different, the postal address of the approved location at which the civil partnership is proposed to be solemnised, and the alternative location if applicable.

#### **5 Civil partnership schedule**

A civil partnership schedule issued under Article 9 of the Law must contain the following particulars –

- (a) the parish register number;
- (b) the entry number;
- (c) the parish in which the civil partnership is solemnised;
- (d) for each person who is a party to the civil partnership, the person's –
  - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),

- (iii) date of birth,
- (iv) civil status,
- (v) occupation or profession,
- (vi) usual place of residence, and
- (vii) place of birth;
- (e) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
- (f) a declaration signed and dated by the Superintendent Registrar stating “<applicant> and <applicant> have given notice of their intention to enter into a civil partnership. That notice has been displayed in accordance with the [Civil Partnership \(Jersey\) Law 2012](#) and both parties have signed a solemn declaration that there is no impediment to their civil partnership. The formation of this civil partnership can now proceed.”;
- (g) the date and time of the civil partnership;
- (h) the location of the civil partnership;
- (i) the signatures of the parties to the civil partnership and printed names of the parties to the civil partnership;
- (j) the signatures of the witnesses and printed names of the witnesses to the civil partnership;
- (k) the printed name and title of the civil partnership celebrant; and
- (l) the signature of the civil partnership celebrant and date that the civil partnership celebrant signs the civil partnership schedule.

## 6 Signature verification form

The signature verification form referred to in Article 9(3) of the Law must contain the following particulars for each person who is a party to the civil partnership –

- (a) the person’s forenames as they appear on the person’s birth certificate (and deed poll, if applicable);
- (b) the person’s surname, and any previous surname, as they appear on the person’s birth certificate (and deed poll, if applicable);
- (c) the person’s signature (which must be signed in the presence of the Superintendent Registrar);
- (d) the date of the person’s signature; and
- (e) a photograph of the person.

## 7 Civil partnership certificate

- (1) A civil partnership certificate issued under Article 9(7) of the Law must contain the following particulars –
  - (a) the entry number;
  - (b) the parish in which the civil partnership is solemnised;
  - (c) the authority under which the civil partnership is solemnised;
  - (d) the date and time of the civil partnership;

- (e) for each person who is a party to the civil partnership, the person's –
    - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
    - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),
    - (iii) date of birth,
    - (iv) civil status,
    - (v) occupation or profession,
    - (vi) usual place of residence, and
    - (vii) place of birth;
  - (f) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
  - (g) the location of the civil partnership;
  - (h) the signatures of the parties to the civil partnership and printed names of the parties to the civil partnership;
  - (i) the signatures of the witnesses and printed names of the witnesses to the civil partnership;
  - (j) the printed name and title of the civil partnership celebrant; and
  - (k) the signature of the civil partnership celebrant and date on which the civil partnership celebrant signed the civil partnership certificate.
- (2) A civil partnership certificate issued under Article 9(7) of the Law for a civil partnership by conversion must contain the following particulars –
- (a) entry number;
  - (b) the name of the parish in which the civil partnership is solemnised;
  - (c) for each person who is a party to the civil partnership, the person's –
    - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
    - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),
    - (iii) date of birth,
    - (iv) civil status,
    - (v) occupation or profession,
    - (vi) usual place of residence, and
    - (vii) place of birth;
  - (d) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
  - (e) a statement which indicates the following information –
    - (i) that the civil partnership was converted from a marriage, and the date of the conversion,
    - (ii) that the details recorded on the civil partnership certificate are as stated on the date of the marriage, and



- (iii) that, in accordance with Article 26AD(15) of the Law, the marriage that is converted –
    - (A) if it was solemnised before 2nd April 2012, is to be treated as having become a civil partnership on that date, or
    - (B) if it was solemnised on or after that date, is to be treated as if it had always been a civil partnership;
  - (f) signatures of the parties to the civil partnership in accordance with Article 26AD(10) of the Law and printed names of the parties to the civil partnership;
  - (g) the date, and time (if any), of the civil partnership (this being the date, and time (if any), of the marriage);
  - (h) the location of the civil partnership;
  - (i) the printed name and the title of the civil partnership celebrant; and
  - (j) the signature of the civil partnership celebrant and date on which the civil partnership celebrant signed the civil partnership certificate.
- (3) Where the Superintendent Registrar issues a certified copy of a civil partnership certificate, the certified copy must include a declaration, signed by the Superintendent Registrar, stating that the certificate is a true and faithful extract of the Register of Civil Partnerships of the parish in which the civil partnership took place.

## **8 Certificate of no impediment to civil partnership**

A certificate of no impediment to civil partnership issued under Article 12 of the Law must contain the following particulars –

- (a) for each person who is a party to the civil partnership, the person’s –
  - (i) forenames as they appear on the person’s birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person’s birth certificate (and deed poll, if applicable),
  - (iii) date of birth,
  - (iv) place of birth,
  - (v) nationality,
  - (vi) usual place of residence,
  - (vii) period of residence at usual place of residence, and
  - (viii) civil status;
- (b) the date of the civil partnership;
- (c) the location of the civil partnership;
- (d) the name of the party to the civil partnership who is the applicant for the certificate of no impediment to civil partnership;
- (e) the date by which the certificate of no impediment to civil partnership will no longer be valid under Article 12(6)(b) of the Law;
- (f) certification by the Superintendent Registrar –

- (i) that notice of intended civil partnership has been given and signed by both parties to the civil partnership, and the date on which the notice was given (as required under Article 12(5) of the Law),
  - (ii) that the applicant referred to in paragraph (d) has met the requirements set out in Article 12 of the Law,
  - (iii) that no impediment to the proposed civil partnership has been shown to the Superintendent Registrar,
  - (iv) that the Superintendent Registrar knows of no reason under the Law that would prevent the applicant referred to in paragraph (d) from entering into a civil partnership if that civil partnership were to be formed in Jersey;
- (g) the signature of the applicant referred to in paragraph (d) and the Superintendent Registrar and the date on which the certificate of no impediment was signed by the applicant and the Superintendent Registrar.

## 9 Application for conversion

An application for a conversion under Article 26AA of the Law must include the following particulars –

- (a) for each person who is a party to the civil partnership, that person's –
  - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),
  - (iii) date of birth,
  - (iv) place of birth,
  - (v) nationality,
  - (vi) immigration status,
  - (vii) usual place of residence,
  - (viii) period of residence at usual place of residence,
  - (ix) civil status,
  - (x) sex (and gender, if different from sex), and
  - (xi) occupation or profession;
- (b) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
- (c) a declaration signed by each person who made the application stating "I hereby confirm that the information provided is correct to the best of my knowledge";
- (d) the name of the civil partnership celebrant, if one has been chosen;
- (e) the full name and physical address and, if different, the postal address of the approved location at which the civil partnership is proposed to be solemnised and the alternative location if applicable;
- (f) the proposed date of the civil partnership;
- (g) the proposed time of the civil partnership; and

- (h) the date and place where the marriage was formed, and confirmation that the marriage has not been dissolved.

## 10 Conversion schedule

A conversion schedule issued under Article 26AC of the Law must contain the following particulars –

- (a) the parish register number;
- (b) the parish in which the civil partnership is solemnised;
- (c) for each person who is a party to the civil partnership, the person's –
  - (i) forenames as they appear on the person's birth certificate (and deed poll, if applicable),
  - (ii) surname, and any previous surname, as they appear on the person's birth certificate (and deed poll, if applicable),
  - (iii) date of birth,
  - (iv) civil status,
  - (v) occupation or profession,
  - (vi) usual place of residence, and
  - (vii) place of birth;
- (d) the date, and time (if any), of the civil partnership, this being the date, and time (if any), that the marriage was formed;
- (e) the full names of the parents of each party to the civil partnership, the relationship of the parent (mother/father/parent) to the party and the occupation or profession of the parent;
- (f) a statement which includes the following information –
  - (i) that the civil partnership was converted from a marriage, and the date of the conversion,
  - (ii) that the details recorded on the conversion schedule are the same as those stated on the marriage document or a similar document issued by a competent authority outside Jersey for a marriage formed outside Jersey, and
  - (iii) that, by Article 26AD(15) of the Law, the marriage –
    - (A) if it was solemnised before 2nd April 2012, is to be treated as having become a civil partnership on that date, or
    - (B) if it was solemnised on or after that date, is to be treated as if it had always been a civil partnership;
- (g) a statement made by the parties confirming that the civil partnership which results from the conversion of their marriage is not void under Article 5 of the Law;
- (h) the date and time of the civil partnership;
- (i) the location of the civil partnership;
- (j) the signatures of the parties to the civil partnership and printed names of the parties to the civil partnership;
- (k) the printed name and title of the civil partnership celebrant;

- (l) certification by the civil partnership celebrant, in their own hand, of the time and date at which the civil partnership was solemnised and signed by the civil partnership celebrant; and
- (m) a statement signed and dated by the Superintendent Registrar stating the following: “Whereas <applicant> and <applicant> have applied to convert their marriage to a civil partnership, the Superintendent Registrar, having considered the application, approves the conversion of their marriage to a civil partnership”.

## **11 Information, books and indexes kept by the Superintendent Registrar**

- (1) The book kept by the Superintendent Registrar under Article 17(2)(b) of the Law must contain the following particulars in respect of each notice –
  - (a) for each person who is a party to the civil partnership, the person’s –
    - (i) forenames as they appear on the person’s birth certificate (and deed poll, if applicable),
    - (ii) surname, and any previous surname, as they appear on the person’s birth certificate (and deed poll, if applicable),
    - (iii) date of birth,
    - (iv) nationality,
    - (v) usual place of residence,
    - (vi) period of residence at usual place of residence,
    - (vii) civil status, and
    - (viii) occupation or profession;
  - (b) the full name and physical address and, if different, the postal address of the approved location at which the civil partnership is proposed to be solemnised;
  - (c) a declaration by the parties to the civil partnership stating “We hereby give notice that we intend to enter into a civil partnership with each other on <date>, and that <date> is no more than 12 months from the date on which we signed this notice”;
  - (d) the signature and printed names of the parties to the civil partnership and date of signing;
  - (e) the date that the notice of intended civil partnership was given;
  - (f) annotations by the Superintendent Registrar, if any; and
  - (g) the signature of the Superintendent Registrar.<sup>1</sup>
- (2) The index kept under Article 17(2)(d) of the Law must contain the following particulars for each party to the civil partnership –
  - (a) the party’s forenames as they appear on the party’s birth certificate (and deed poll, if applicable); and
  - (b) the party’s surname, and any previous surname, as they appear on the party’s birth certificate (and deed poll, if applicable).

## **12 Official searches of records by Superintendent Registrar**

An application for a search under Article 21A of the Law must contain the following particulars –

- (a) the applicant's forenames and surnames, including previous names or aliases used;
- (b) the applicant's date and place of birth;
- (c) the applicant's contact details;
- (d) details of any events in the applicant's life that the Superintendent Registrar considers to be relevant ("relevant life events"), including –
  - (i) the date of any previous marriage or civil partnership,
  - (ii) the date of any divorce or dissolution, and
  - (iii) any other details the Superintendent Registrar considers to be relevant;
- (e) the names of the applicant's civil partner;
- (f) dates considered by the Superintendent Registrar to be relevant, including the date of registration of a relevant life event;
- (g) evidence of the applicant's identity;
- (h) a declaration by the applicant stating that the information provided is correct to the best of the applicant's knowledge; and
- (i) the applicant's signature and the date of signing.

### **13 Registration of civil partnership**

- (1) In order to satisfy the requirements of Article 18(2) of the Law, a registrar of a parish in which a civil partnership is solemnised must –
  - (a) retain in the register, in the date order in which civil partnerships are solemnised, all civil partnership schedules in respect of civil partnerships solemnised by the registrar; and
  - (b) number each civil partnership schedule with a parish register entry number which shall be progressive beginning with the number 1 in each register.
- (2) In order to satisfy the requirements of Article 18(2) of the Law, a registrar of a parish in which a civil partnership by conversion is solemnised must –
  - (a) retain in a register and in the date order in which civil partnerships are solemnised all conversion schedules in respect of civil partnerships solemnised by the registrar; and
  - (b) number each conversion schedule with a parish register entry number which shall be progressive beginning with the number 1 in each register.

### **14 Return of registers etc. by registrar**

- (1) A registrar must, not later than 30 days after the end of each quarter –
  - (a) deliver to the Superintendent Registrar for inspection all registers supplied to the registrar under Article 18 of the Law and which contain civil partnership schedules received by the registrar during that quarter;
  - (b) deliver to the Superintendent Registrar for inspection all registers containing conversion schedules received by the registrar during that quarter; and
  - (c) deliver to the Superintendent Registrar a certificate in a form provided by the Superintendent Registrar, setting out the number of civil partnerships solemnised in the parish and registered in the register during the quarter, including when none have been registered.

- (2) The Superintendent Registrar must –
  - (a) inspect and verify the registers and certificate;
  - (b) return the registers to the registrar; and
  - (c) retain the certificate.

## **15 Keeping of civil partnership register and other documents**

A person who, by virtue of the person's office, is required by this Order to keep a civil partnership register or other documents must, on ceasing to hold office, deliver the register and documents to the person's successor.

## **16 Omission of particulars in exceptional circumstances**

Despite anything to the contrary in this Order, if the Minister has determined under Article 45 of the Law that there are exceptional circumstances, the Superintendent Registrar may omit details in respect of forenames and surnames required as particulars in the following –

- (a) notice of intended civil partnership;
- (b) civil partnership schedule;
- (c) signature verification form;
- (d) civil partnership certificate;
- (e) certificate of no impediment to civil partnership;
- (f) conversion schedule;
- (g) notices of intended civil partnership book;
- (h) index of the names of the parties to any civil partnerships solemnised in Jersey.

## **PART 3**

### **SPECIAL CIRCUMSTANCES**

## **17 Application and interpretation of Part 3**

- (1) This Part applies if –
  - (a) persons wish to solemnise their civil partnership in a manner described in Article 14B(1) of the Law; and
  - (b) one or more of the special circumstances referred to in Article 14B(2) of the Law exist.
- (2) Part 2 of the Law applies to a civil partnership referred to in paragraph (1) except as set out in this Part and paragraphs (3) and (4).
- (3) The civil partnership may be solemnised –
  - (a) before the publication of a notice of intended civil partnership under Article 9 of the Law; or
  - (b) before the end of the 25 clear days for which the notice is required to be published under that Article.

- (4) If any changes to the procedures specified in Part 2 of the Law have been permitted under this Article, the Superintendent Registrar must annotate the certificate of no impediment to civil partnership with those changes before issuing the certificate.
- (5) In this Part, “appropriate authority” means –
  - (a) if there is an expectation of death of a party to the civil partnership within 3 months, a doctor responsible for the care of that party;
  - (b) if a party to the civil partnership is housebound, a doctor providing care to the housebound party;
  - (c) if a party to the civil partnership is unable to solemnise a civil partnership by reason of illness or unforeseen or unavoidable circumstances, a doctor or other relevant official that the Superintendent Registrar accepts as being an appropriate authority;
  - (d) if a party to the civil partnership is detained in a hospital, the person responsible for the management of the hospital;
  - (e) if a party to the civil partnership is detained in a prison, or a place at which a person suffering from a mental disorder may be lawfully detained, the governor of the prison or any other person with responsibility for the prison or place at which a person suffering from a mental disorder may be lawfully detained.

## **18 Statement of special circumstances**

- (1) An application for notice of intended civil partnership under Article 6B of the Law must be accompanied by a statement made and signed by an appropriate authority giving details of the special circumstances of the party to the civil partnership.
- (2) The statement referred to in paragraph (1) must not be made more than 14 days before it is received by the Superintendent Registrar, except if –
  - (a) a party to the civil partnership is detained; and
  - (b) the appropriate authority confirms that the person will still be detained on the proposed date of the civil partnership.
- (3) On receipt of the statement, the Superintendent Registrar must record it in the notice of intended civil partnership and in the book in which those notices are recorded.
- (4) If one or both of the parties to the civil partnership are detained in a prison or place at which a person suffering from a mental disorder may be lawfully detained, the appropriate authority must, before the Superintendent Registrar publishes a notice of intended civil partnership, confirm in the statement referred to in paragraph (1) that the appropriate authority agrees to make the necessary arrangements and –
  - (a) agrees to the civil partnership taking place at the place of detention; or
  - (b) agrees to move the party or parties to a different location for the civil partnership.

## **19 Superintendent Registrar may make adjustments**

- (1) If the Superintendent Registrar receives a statement referred to in Article 18(1), the Superintendent Registrar may take any of the actions in paragraphs (2) to (5).
- (2) The Superintendent Registrar may disapply any of the timeframes set out in Articles 9(1), 12(2), 14A(1) and (2), 26AA(1)(a) and 26AC(1) of the Law.

- (3) The Superintendent Registrar may disapply any requirements under Articles 6B(2)(c) and 26AA(3)(c) of the Law to provide original documents or copies of original documents to the Superintendent Registrar, except in the case of documents –
  - (a) that provide evidence of the nationality and immigration status of a party to the civil partnership; or
  - (b) if a party to the civil partnership was previously married or in a civil partnership with another person, that provide evidence of –
    - (i) the divorce or dissolution of the civil partnership, or
    - (ii) the death of the party’s previous spouse or civil partner.
- (4) The Superintendent Registrar may issue a civil partnership schedule authorising the solemnisation of the civil partnership –
  - (a) in the location, specified in the statement from the appropriate authority, where the party is detained (whether or not it is an approved location);
  - (b) in the location where the party is housebound (whether or not it is an approved location);
  - (c) on any day of the week, or at any time during the 24 hours of a day, if –
    - (i) one or both of the parties to the intended civil partnership are expected to die within 3 months, or
    - (ii) one or both of the parties to the intended civil partnership are unable to solemnise the civil partnership by reason of illness or unforeseen circumstances.
- (5) The Superintendent Registrar may, if the statement states that a party to the civil partnership is unable to attend the office of the Superintendent Registrar –
  - (a) allow the other party to attend alone to provide the original documents required under the Law on behalf of both parties to the civil partnership and require that party to sign the signature verifier form;
  - (b) allow both parties to attend together in a place other than the office of the Superintendent Registrar to provide the original documents required under the Law; or
  - (c) waive the requirement to pay any fee or part of a fee.
- (6) But the Superintendent Registrar must not disapply anything referred to in paragraphs (2) or (3) in respect of a person who is detained or housebound unless one of the following also applies –
  - (a) one or both of the parties to the intended civil partnership are expected to die within 3 months; or
  - (b) one or both of the parties to the intended civil partnership are unable to solemnise the civil partnership by reason of illness or unforeseen circumstances.

## 20 New or amended documents

- (1) If a notice of intended civil partnership, a civil partnership schedule or a certificate of no impediment to civil partnership have already been published or issued, and changes are required to any of them because Article 18 applies, the Superintendent Registrar must –



- (a) amend the notice of intended civil partnership to show a new date or time of the solemnisation of the civil partnership, new location or new civil partnership celebrant;
  - (b) either –
    - (i) issue a new civil partnership schedule and new civil partnership certificates (see Article 9(7)(a) of the Law), or
    - (ii) authorise the new civil partnership celebrant to annotate the existing civil partnership schedule and issue such certificates;
  - (c) issue a new certificate of no impediment to civil partnership.
- (2) The Superintendent Registrar must record a change made under paragraph (1) in the Superintendent Registrar’s records.
- (3) The Superintendent Registrar must not issue a new civil partnership schedule, new civil partnership certificates or a new certificate of no impediment to civil partnership under paragraph (1) unless the fee prescribed in the Schedule has been paid and –
- (a) the existing civil partnership schedule, civil partnership certificates or certificate of no impediment to civil partnership is returned to the Superintendent Registrar; or
  - (b) there is imminent likelihood of death and there is not sufficient time for the existing civil partnership schedule, civil partnership certificates or certificate of no impediment to civil partnership to be returned to the Superintendent Registrar.
- (4) Where any of the following documents have been issued in consequence of a civil partnership being solemnised under Article 14B of the Law, the Superintendent Registrar must annotate the documents to indicate that they have been issued in circumstances described in Article 14B(2) of the Law –
- (a) a notice of intended civil partnership;
  - (b) a civil partnership schedule;
  - (c) a conversion schedule;
  - (d) a civil partnership certificate; and
  - (e) a certificate of no impediment to civil partnership.

## PART 4

### SCHEME FOR APPROVAL OF LOCATIONS FOR SOLEMNISATION OF CIVIL PARTNERSHIPS

#### 21 Scheme for approval of location

This Part sets out the scheme for approval by an approving authority of any location for the purposes of solemnising civil partnerships at that location as required under Article 13 of the Law.

#### 22 Kinds of location

- (1) The kinds of locations in respect of which approvals may be granted under this Part include the following –

- (a) an open-air location;
  - (b) a location that is movable property on the condition that the location remains static during the period commencing at least one hour before the solemnisation of the civil partnership and ending at the end of the civil partnership ceremony;
  - (c) a location that is immovable property;
  - (d) a whole location or part of a location (whether joined or separate); and
  - (e) any combination of paragraphs (a), (b), (c) and (d).
- (2) Where a location forms part of a building or part of a larger location, the part of the building or location may be approved for the solemnisation of civil partnerships.
- (3) A location for a civil partnership may be situated in one or more parishes.

### **23 Type of approval**

An approval under this Part may be for the solemnisation of –

- (a) a specified civil partnership at a location;
- (b) civil partnerships generally at a location.

### **24 Application for approval of location**

- (1) An application for approval of a location for the solemnisation of civil partnerships may be made to an approving authority by –
- (a) a proprietor, trustee or managing agent of a location;
  - (b) a relevant authority;
  - (c) an administering authority; or
  - (d) any other person.
- (2) An application under paragraph (1) must –
- (a) be submitted to the Superintendent Registrar;
  - (b) be in the form approved by the Superintendent Registrar;
  - (c) include the following information –
    - (i) the type of approval sought under Article 23,
    - (ii) the name and address of the person making the application,
    - (iii) the name and address of the person who is the responsible person in relation to the location,
    - (iv) the capacity in which the applicant is making the application,
    - (v) the details of the location, including a location plan, if any, for that location,
    - (vi) any other information that the Superintendent Registrar deems necessary, and
    - (vii) any other information that the approving authority may reasonably require to determine the application; and
  - (d) be accompanied by the appropriate fee prescribed in the Schedule.
- (3) For the purpose of determining an application made under paragraph (1), an approving authority may do any of the following –

- (a) visit a location to inspect it for the purpose of ascertaining whether it is suitable for upholding the dignity and solemnity of civil partnership or request an appropriate representative of the approving authority to do so;
- (b) consult with any other person or relevant authority as the approving authority considers necessary.

## **25 Grant or refusal of approval**

- (1) In determining an application under Article 24, the approving authority must consider any representations that the approving authority receives prior to the determination of the application.
- (2) The approving authority, after considering any representations under paragraph (1), may grant approval of a location for the solemnisation of a civil partnership under Article 23 if the approving authority is satisfied that the conditions in paragraphs (4) to (7) are met.
- (3) The approving authority must refuse to grant approval of a location for the solemnisation of civil partnership if not satisfied that the conditions in paragraphs (4) to (7) are met.
- (4) Condition 1 is that the application under Article 24 has been made in accordance with the Law and this Order.
- (5) Condition 2 is that in the opinion of the approving authority, the location is suitable for upholding the dignity and solemnity of civil partnership, having regard to the primary use of the location.
- (6) Condition 3 is that the location can be reasonably found, and accessed by the public during the period commencing at least one hour before the solemnisation of the civil partnership and ending at the end of the civil partnership ceremony.
- (7) Condition 4 is that a person organising the solemnisation of a civil partnership can reasonably comply with any conditions to ensure that the dignity and solemnity of civil partnership is upheld, imposed –
  - (a) under the Law;
  - (b) under Article 27;
  - (c) under any other provision of this Order; or
  - (d) by the approving authority.
- (8) In the case of an application under Article 24 for the grant of approval of a location for the solemnisation of a specified civil partnership under Article 23(a), the approving authority may, after consultation with the proprietor, trustee or managing agent of the location –
  - (a) grant approval of the location for the solemnisation of that specified civil partnership; or
  - (b) grant approval of the location for the solemnisation of civil partnerships generally under Article 23(b).

## **26 Approving authority must give notice**

- (1) The approving authority must, as soon as is practicable after an application for approval of a location for the solemnisation of civil partnership is determined, give notice in writing to the applicant and to the Superintendent Registrar of –

- (a) the approving authority's decision to grant or refuse the approval;
  - (b) in the case of a refusal to grant the approval, the reason for that decision;
  - (c) in the case of a grant of approval, any conditions imposed under the Law, Article 27, any other provision of this Order or by the approving authority;
  - (d) the applicant's right under Article 37 to a review by the Minister against the approving authority's decision.
- (2) The approving authority must also give notice in writing of the type of approval referred to in Article 25(8) to the following persons if they are not the applicant –
- (a) the proprietor, trustee or managing agent of the location;
  - (b) the relevant authority;
  - (c) an administering authority;
  - (d) any other person who objected to the application; and
  - (e) any person or authority with whom the approving authority consulted as part of the determination process.

## **27 Conditions of approval**

The following are conditions of approval in respect of an approved location –

- (a) an approved location must be available at all reasonable times for inspection by the approving authority; and
- (b) an approved location (including an approved location for a specified civil partnership) must be accessible by the public during the period commencing at least one hour before the solemnisation of the civil partnership and ending at the end of the civil partnership ceremony.

## **28 Refund of fee**

The approving authority may refund the appropriate fee prescribed in the Schedule –

- (a) if an application is made for approval of a location for the solemnisation of a specified civil partnership and a general approval of a location for the solemnisation of any civil partnership is granted under Article 25(2);
- (b) if the approving authority refuses an application for approval of a location for the solemnisation of a civil partnership under Article 25(3); or
- (c) if the application for approval of a location is for a specified civil partnership and the specified civil partnership did not take place at the location at the date for which the approval was given.

## **29 Renewal of approval**

- (1) An approving authority may renew an approval of a location for the solemnisation of civil partnerships –
- (a) on application by the proprietor, trustee or managing agent of a location, a relevant authority, an administering authority or any other person; or
  - (b) if no application is received but the approving authority is satisfied that it is reasonable to do so because it is in the public interest.

- (2) Before renewing an approval of a location for the solemnisation of civil partnerships, the approving authority –
  - (a) must consult with the proprietor, trustee or managing agent of the location or the relevant authority or administering authority; and
  - (b) may do any of the things set out in Article 24(3).
- (3) An application for renewal under paragraph (1)(a) must be accompanied by the appropriate fee prescribed in the Schedule, except that the approving authority may waive the fee if the approving authority is satisfied that it is reasonable to do so because it is in the public interest.

### **30 Register of approved locations**

- (1) The register of approved locations required to be kept by the Superintendent Registrar under Article 7 of the Law must be endorsed to specify the type of approval under Article 23 that is granted in respect of the location.
- (2) The register of approved locations must contain, and be endorsed to state, in relation to each location the following particulars –
  - (a) the name and full postal address (if any) of the location and a location plan for the approved location (if any);
  - (b) description of boundaries of the approved location;
  - (c) the name and contact details of the responsible person;
  - (d) the date on which the approval was given;
  - (e) the date of expiry of the approval;
  - (f) details of any special conditions imposed under Article 34;
  - (g) any contact details that, in the opinion of the Superintendent Registrar, would be useful to parties to a civil partnership when organising their civil partnership celebration, including the name of proprietors, trustees or managing agent of the approved location;
  - (h) in the case of an approved location for a specified civil partnership location, the date of the civil partnership and the names of the parties to the civil partnership;
  - (i) any changes to the approval of the location or the conditions of approval;
  - (j) if approval has been revoked, the date and reason for the revocation; and
  - (k) any other information that the Minister may require.

### **31 Duration of approval**

- (1) An approval of a location for the solemnisation of civil partnership must –
  - (a) in the case of an approved location for the solemnisation of a specified civil partnership referred to in Article 23(a), be valid only for the period commencing one hour before the civil partnership ceremony and ending at the end of the civil partnership ceremony, subject to the revocation of the approval under Article 36; or
  - (b) in the case of an approved location for the solemnisation of a civil partnership referred to in Article 23(b), be valid for a period of 3 years, subject to the revocation of the approval under Article 36.

- (2) Without prejudice to any condition as to notification of the change of ownership of an approved location imposed under the Law or this Order or by an approving authority, an approval remains valid despite a change of ownership of the approved location.

### **32 Responsible person**

- (1) The responsible person must be the point of contact –
  - (a) between the approving authority and the Superintendent Registrar in respect of all matters relating to the approval, registration and use of the approved location for the solemnisation of civil partnerships; and
  - (b) with the public with regard to dealing with enquiries about the approved location in relation to its use for the solemnisation of civil partnerships.
- (2) The responsible person must immediately notify the Superintendent Registrar of a change to any of the following, either during the application and approval process, or after the approval and registration under Article 30 –
  - (a) the layout of the approved location;
  - (b) the use of the approved location;
  - (c) the name and full postal address, if any, of the approved location;
  - (d) any changes to the approved location which would amount to it becoming or ceasing to be an open-air location;
  - (e) the description of the room, if any, in the approved location in which civil partnerships are to be solemnised;
  - (f) the name, address and position of the responsible person.
- (3) After registration of a location as an approved location, the responsible person is responsible for –
  - (a) ensuring that any special conditions under Article 34 imposed by the approving authority are complied with;
  - (b) notifying the Superintendent Registrar of potential breaches of the standard conditions imposed under Article 33 and the duties imposed on a civil partnership celebrant under this Order or the Law;
  - (c) ensuring compliance with any special conditions that the responsible person has agreed with the person organising the civil partnership.

### **33 Standard conditions**

- (1) On the day of the solemnisation of a civil partnership, the civil partnership celebrant is responsible for ensuring that the standard conditions set out in paragraphs (2) to (8) are complied with.
- (2) The civil partnership celebrant must ensure that food or drink is not consumed at the approved location in which the solemnisation of a civil partnership is to take place during the period commencing one hour before the civil partnership ceremony and ending at the end of the civil partnership ceremony.
- (3) The civil partnership celebrant may allow consumption of food or drink if –
  - (a) it is reasonable for the civil partnership celebrant to permit food or drink to be consumed for health, safety or welfare reasons; or

- (b) in the case of an open air location (but not in a temporary structure in that location) it would be unreasonable to expect the civil partnership celebrant to prevent consumption.
- (4) The civil partnership celebrant must ensure the civil partnership ceremony takes place within the boundaries of the approved location set out in the approval and as stated in the register.
- (5) The civil partnership celebrant must ensure that the place in the approved location at which a civil partnership is solemnised is separate from any other part of the approved location at which other activities unrelated to the civil partnership ceremony are taking place at the same time that the civil partnership ceremony is taking place.
- (6) The civil partnership celebrant must ensure that the following details of the solemnisation of a civil partnership are displayed at the times and in the places described in paragraph (7) –
  - (a) the name of the parties to the civil partnership;
  - (b) the time at which the civil partnership ceremony is to take place;
  - (c) the name of the civil partnership celebrant; and
  - (d) the place in the approved location at which the civil partnership ceremony is to take place.
- (7) The details must be displayed at least one hour immediately before the commencement of the civil partnership ceremony and throughout that civil partnership ceremony –
  - (a) at each public entrance to the approved location at which the civil partnership ceremony is to take place, or
  - (b) in the case of an open-air location, at a place on or in the vicinity of that location that would reasonably be expected to bring the matters to the attention of the public.
- (8) The civil partnership celebrant must ensure that the public is able to access the location in which the civil partnership is to take place, and any temporary structure in that location, without charge.

### **34 Special conditions**

- (1) The approving authority may, in accordance with paragraph (3), impose any special conditions that the approving authority believes are required to ensure that an approved location is, and remains, suitable for upholding the dignity and solemnity of civil partnership.
- (2) The responsible person (or in the responsible person's absence, the person organising a civil partnership ceremony) must ensure that any special conditions imposed by the approving authority under paragraph (1) are complied with.
- (3) The special conditions that may be imposed under paragraph (1) may relate to any of the following –
  - (a) placing restrictions on the days of the year, days of the week or times of a day that a civil partnership may be solemnised at an approved location;
  - (b) placing restrictions on civil partnerships being solemnised at an approved location in the event that the approved location or its surrounding land or

- premises is being used for other purposes at the time of the civil partnership ceremony;
- (c) imposing requirements in relation to the erection of barriers or notices and use of semi-permanent structures or features; or
  - (d) any other requirements relating specifically to upholding the dignity and solemnity of civil partnership.
- (4) If a special condition is imposed under paragraph (3)(a), the Superintendent Registrar must not issue a civil partnership schedule or conversion schedule permitting a civil partnership to be solemnised during days of the year, days of the week or times of a day that are restricted under that special condition.

### **35 Amendments to approval**

- (1) The approving authority may amend an approval of a location for the solemnisation of a civil partnership on the application of –
- (a) the proprietor, trustee, managing agent or administering authority of an approved location;
  - (b) the Superintendent Registrar or a relevant authority, where the Superintendent Registrar or relevant authority believes there are reasonable grounds to request the amendment to ensure that the dignity and solemnity of civil partnership is upheld.
- (2) An application for an amendment under paragraph (1)(a) must be accompanied by the appropriate fee prescribed in the Schedule.

### **36 Revocation of approval**

- (1) An approving authority may revoke an approval of a location for the solemnisation of a civil partnership if –
- (a) any standard conditions under Article 33 are not complied with;
  - (b) any special conditions imposed by the approving authority under Article 34 are not complied with;
  - (c) the location has been altered or its use has changed to an extent that, in the view of the approving authority, the location is no longer suitable for upholding the dignity and solemnity of civil partnership;
  - (d) the relevant authority informs the approving authority that the relevant authority will not issue a licence or other permission required in relation to that location;
  - (e) the proprietor or trustee, managing agent or administering authority of the location has requested the approving authority in writing to revoke the approval; or
  - (f) there has been a breach of the Law or any other enactment relating to civil partnerships at that location.
- (2) The approving authority must, before revoking an approval of a location for the solemnisation of a civil partnership –
- (a) consult the Superintendent Registrar, the Minister and any other authority or person that the approving authority deems it appropriate to consult; and



- (b) deliver notification of the approving authority's intention to revoke the approval, to the proprietor, trustee or managing agent of the location, any administering authority or any relevant authority. and provide those persons.
- (3) The approving authority must give persons notified under paragraph (2)(b) not less than 21 days to make a written representation in relation to the proposed revocation.
- (4) If the proprietor or trustee of an approved location, any administering authority, or any relevant authority has requested the revocation of the approval of the location and there is no other person that the approving authority believes should be consulted, the approving authority may revoke the approval without allowing the period of 21 days for representations to be made under paragraph (3).
- (5) The approving authority must, in deciding whether to revoke the approval of a location for the solemnisation of a civil partnership, take into account any representations received from the proprietor, trustee, or managing agent of the approved location, any administering authority or any relevant authority within the period of 21 days for representations to be made under paragraph (2)(b).
- (6) The approving authority may, after the period of 21 days for representations to be made under paragraph (2)(b), revoke approval of a location for the solemnisation of a civil partnership with immediate effect or after a period of notice, depending on the circumstances of the case.
- (7) But the approving authority may, if the Superintendent Registrar has issued a notice of intended civil partnership at a location for which approval is being revoked under this Article –
  - (a) revoke approval of the location with immediate effect; or
  - (b) revoke approval of the location, except in relation to that intended civil partnership and impose special conditions to ensure that the dignity and solemnity of the civil partnership is upheld.
- (8) The approving authority must give notice, in writing, of –
  - (a) a decision under this Article to revoke an approval of a location for the solemnisation of civil partnership to the proprietor, trustee, or managing agent of the approved location, any administering authority or any relevant authority and to the Superintendent Registrar; and
  - (b) the right under Article 37 to a review by the Minister against the approving authority's decision to revoke the approval of the location as an approved location.

### **37 Review of decision of approving authority**

- (1) A person aggrieved by a decision described in paragraph (2) of an approving authority may apply to the Minister for a review of that decision.
- (2) The decisions are –
  - (a) grant or refusal to grant an approval of a location for the solemnisation of civil partnership under Article 25;
  - (b) imposition of special conditions on the grant of approval of a location for the solemnisation of civil partnership under Article 27;
  - (c) amendment of an approval of a location for the solemnisation of civil partnership under Article 35;

- (d) revocation of an approval of a location for the solemnisation of civil partnerships under Article 36.
- (3) An application for a review under paragraph (1) must be made in writing within 28 days of the decision being made.
- (4) On receipt of an application for a review, the Minister –
  - (a) must give notice to the approving authority of the review and of the approving authority's right to make representations to the Minister;
  - (b) may consult with any other person as the Minister deems necessary, including the Superintendent Registrar;
  - (c) may visit and inspect the location for the purpose of determining whether the location is suitable for upholding the dignity and solemnity of civil partnership; or
  - (d) with the permission of the owner or occupier of a location that is adjacent to a location in respect of which an application for approval for the solemnisation of civil partnership is made, may, at any reasonable time, visit and inspect the adjacent location for the purpose of determining whether that adjacent location would in any way impact on the dignity and solemnity of a civil partnership that is solemnised at the location in respect of which the application for a review of the approving authority's decision is made.
- (5) The Minister may, on reviewing the approving authority's decision –
  - (a) uphold the approving authority's decision;
  - (b) overturn the decision of the approving authority;
  - (c) substitute a different decision for the approving authority's decision; or
  - (d) impose, amend, or remove any special conditions imposed by the approving authority.
- (6) The Minister must, in writing, inform the following persons of the Minister's decision under paragraph (5) –
  - (a) the applicant for the review of the approving authority's decision;
  - (b) the approving authority; and
  - (c) any person with whom the Minister consulted during the review process.
- (7) The Minister's decision under paragraph (5) is final.

## **PART 5**

### **MISCELLANEOUS AND FINAL**

#### **38 Correction of error in register**

- (1) If the Minister or the Inferior Number of the Royal Court grants permission for the correction of an error (other than a clerical error) in a book or register kept under the Law or this Order, the Superintendent Registrar must –
  - (a) make the correction in the margin of both the original entry and the document kept under this Order; and
  - (b) enter, both in the original entry and in the document –
    - (i) the date the permission is granted,

- (ii) the date the correction is made, and
  - (iii) the Superintendent Registrar's signature.
- (2) When notified of a clerical error, the Superintendent Registrar must –
  - (a) make the correction in the margin of both the original entry and the document kept under this Order; and
  - (b) enter, both in the original entry and in the document –
    - (i) the date the correction is made, and
    - (ii) the Superintendent Registrar's signature.

### **39 Fees**

The Schedule sets the fees payable under the Law.

### **40 Binding of returns, civil partnership schedules and conversion schedules**

The Superintendent Registrar must arrange for the returns, civil partnership schedules and conversion schedules to be bound as often as is necessary.

### **41 Transitional provision**

If, immediately before the commencement of this Order, a location is an “approved premises” within the meaning of the [Civil Partnership \(Approved Premises\) \(Jersey\) Order 2012](#) then that approved premises is treated as if it were an approved location.

### **42** <sup>2</sup>

### **43 Citation and commencement**

This Order may be cited as the Civil Partnership (Procedures, Special Circumstances and Approved Locations) (Jersey) Order 2023 and comes into force immediately after the commencement of the [Civil Partnership \(Amendment\) Jersey Law 2023](#).

## SCHEDULE<sup>3</sup>

(Article 39)

### FEES

Item no.	Provision of Law	Description of activity for which fee payable	Amount
1	Article 6B(1)(b)	Application for a notice of intended civil partnership	£215.38
2	Article 9(2) and (3)(e)	Request for issue of civil partnership schedule	£323.07
3	Article 12(2) and (3)(d)	Issue of a certificate of no impediment to civil partnership	£107.69 per applicant
4	Article 13(5)(j)	Application for approval of a location for the solemnisation of civil partnerships – specified civil partnership	£241.64 payable to the parish £136.58 payable to the Superintendent Registrar
5	Article 13(5)(j)	Application for approval of a location for the solemnisation of civil partnerships – 3-year approval	£315.19 payable to the parish £136.58 payable to the Superintendent Registrar
6	Article 13(5)(j)	Amendment of approval of location	£107.69
7	Article 13(5)(j)	Renewal of approval of location	£315.19 payable to the parish £136.58 payable to the Superintendent Registrar
8	Article 14A(3)	Change to date, time or location contained in the published notice of intended civil partnership	£53.84
9	Article 14B(3)(b)	Attendance of the Superintendent Registrar to sign forms or undertake identity checks in special circumstances	£53.84
10.	Article 14B(3)(b)	Issue of new civil partnership schedule, civil partnership certificate or certificate of no impediment to civil partnership arising from special circumstances	£80.77
11.	Article 17A(5)	Registration of each civil partnership that a registrar registers	£10.77

Item no.	Provision of Law	Description of activity for which fee payable	Amount
		under Article 17A(4) or the provision of registers and returns	
12	Article 21(1)	Production of a copy of an entry in a register kept by the relevant registrar under the Law	£32.31
13	Article 21A(2)	Production of a copy of an entry in a book or register certified by the Superintendent Registrar	£64.62 if issued on same day £31.52 if issued on day after
14	Article 21A(2) and (4)	Search of indexes maintained by the Superintendent Registrar	£96.92
15	Article 26AA(1)(b)	Application for conversion of a marriage to a civil partnership	£0 until 24th March 2025, and £210.13 thereafter
16	Article 26AC(2) and (3)(c)	Issue of a conversion schedule	£0 until 24th March 2025, and £315.19 thereafter
17	Article 26AD(3)(a)	Solemnisation of a civil partnership by conversion	£0
18	Article 72A(1)	Search of indexes by the Superintendent Registrar	£0
19	Article 72A(1)	Solemnisation of a civil partnership by the Superintendent Registrar or the Deputy Superintendent Registrar on Monday to Friday at the office of the Superintendent Registrar	£0
20	Article 72A(1)	Solemnisation of a civil partnership by the Superintendent Registrar or the Deputy Superintendent Registrar on a Saturday, Sunday or public holiday	£161.53
21	Article 72A(1)	Solemnisation of a civil partnership by the Superintendent Registrar or the Deputy Superintendent Registrar at an approved location other than the office of the Superintendent Registrar	£161.53
22	Article 72A(1)	Supplementary fee for the use of the office of the Superintendent Registrar as a location for the solemnisation of a civil partnership taking place there on Monday to Friday	£21.54

<b>Item no.</b>	<b>Provision of Law</b>	<b>Description of activity for which fee payable</b>	<b>Amount</b>
23	Article 72A(1)	Supplementary fee for the use of the office of the Superintendent Registrar as a location for the solemnisation of a civil partnership taking place there on Saturday, Sunday or a public holiday	£107.69
24	Article 72A	Delivery of a certificate or document by the Superintendent Registrar to the Customs and Immigration Department for apostille	£21.54

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	°Projet No (where applicable)
Civil Partnership (Procedures, Special Circumstances and Approved Locations) (Jersey) Order 2023	<a href="#">R&amp;O.22/2023</a>	24 March 2023	
Marriage and Civil Partnerships (2024 Fees) (Jersey) Order 2023	<a href="#">R&amp;O.123/2023</a>	1 January 2024	

°Projets available at [statesassembly.gov.je](https://statesassembly.gov.je)

### Table of Endnote References

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- <sup>1</sup> Article 11(1) *editorial change, in sub-paragraph (c), “and” after the semi-colon deleted*
- <sup>2</sup> Article 42 *spent, omitted*
- <sup>3</sup> Schedule *amended by R&O.123/2023*