



December 2013

Marriage (Same Sex Couples) Act 2013

On 17 July 2013 the Marriage (Same Sex Couples) Bill received Royal Assent and became an Act of Parliament. This enshrines equal marriage in law and will allow same-sex couples to marry in England and Wales. This policy briefing aims to summarise the new legislation and set out what it means for the lesbian, gay, bisexual and trans (LGB&T) community.

What will the Act do?

The Act makes provision for the marriage of same-sex couples in England and Wales and covers related issues to do with converting a civil partnership to a marriage, marriages of armed forces personnel overseas, gender change, and survivor benefits under occupational pension schemes.

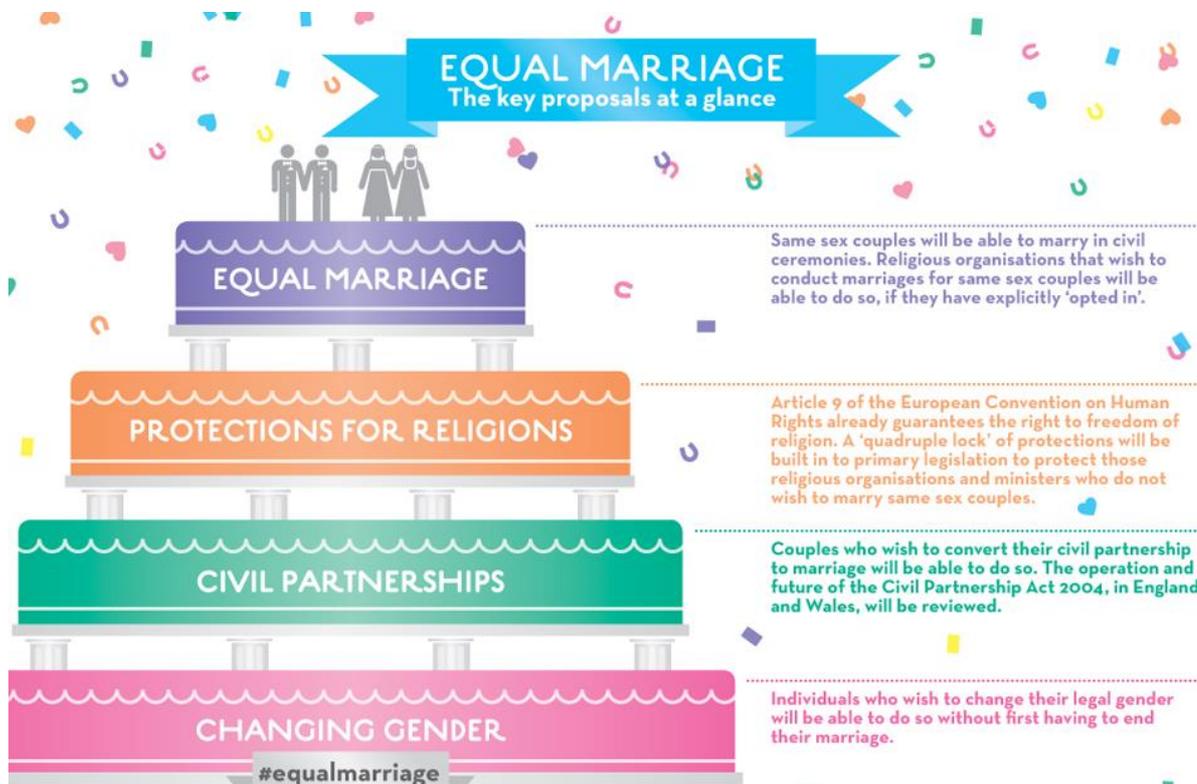
In effect the Act will:

- allow same sex couples to marry in civil ceremonies
- allow same sex couples to marry in religious ceremonies, where the religious organisation has 'opted in' to conduct such ceremonies and the minister of religion agrees
- protect those religious organisations and their representatives who do not wish to conduct marriages of same sex couples from successful legal challenge
- enable civil partners to convert their partnership to a marriage, if they wish
- enable married individuals to change their legal gender without having to end their marriage

When will the Act come into effect?

Last week Government announced same sex couples will be able to get married in a registry or approved religious premises from 29 March 2014. The arrangements for allowing the conversion of civil partnerships to marriages and those allowing people who change their legal gender to remain in their marriages will take longer to implement. To date the Government has not stated when they expect these parts of the Act to come into effect.

POLICY BRIEFING



Graphic from the Department for Culture, Media & Sport

What does the Marriage (Same Sex Couples) Act mean for the LGB&T community?

Evidently the passing of the Act represents a historic step forward for the equality of LGB&T people. Even though lesbian, gay and bisexual couples have already been able to enter civil partnerships since 2005, keeping marriage and civil partnerships separate added to the notion that relationships between same-sex people are not quite the same as those of heterosexual couples. In turn these views have had a negative impact on public attitudes towards LGB people themselves. In addition, trans people who wanted to legally change their gender could not remain married to their partners. Instead they had to go through the complicated and expensive process of annulling their marriage and then forming a new civil partnership. The Act allows trans people to stay married while changing their legal gender, however, while civil partnerships remain exclusive to same-sex couples trans people may only stay in a civil partnership if both partners legally change their gender and the relationship remains same-sex.

In summary, for the first time now LGB&T people will be able to equally celebrate their love for one another alongside heterosexual couples, and have full equality in law. This is likely to lead to a reduction of homophobia/transphobia and greater acceptance of LGB&T people overall.

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It is particularly encouraging that religious denominations and institutions that wish to hold same-sex marriage ceremonies will be permitted to do so, as this is also an important matter of religious freedom.

Further information and resources

Marriage (Same Sex Couples) Act 2013

<http://services.parliament.uk/bills/2013-14/marriagesamesexcouplesbill.html>

Graphics from the Department of Culture, Media and Sports

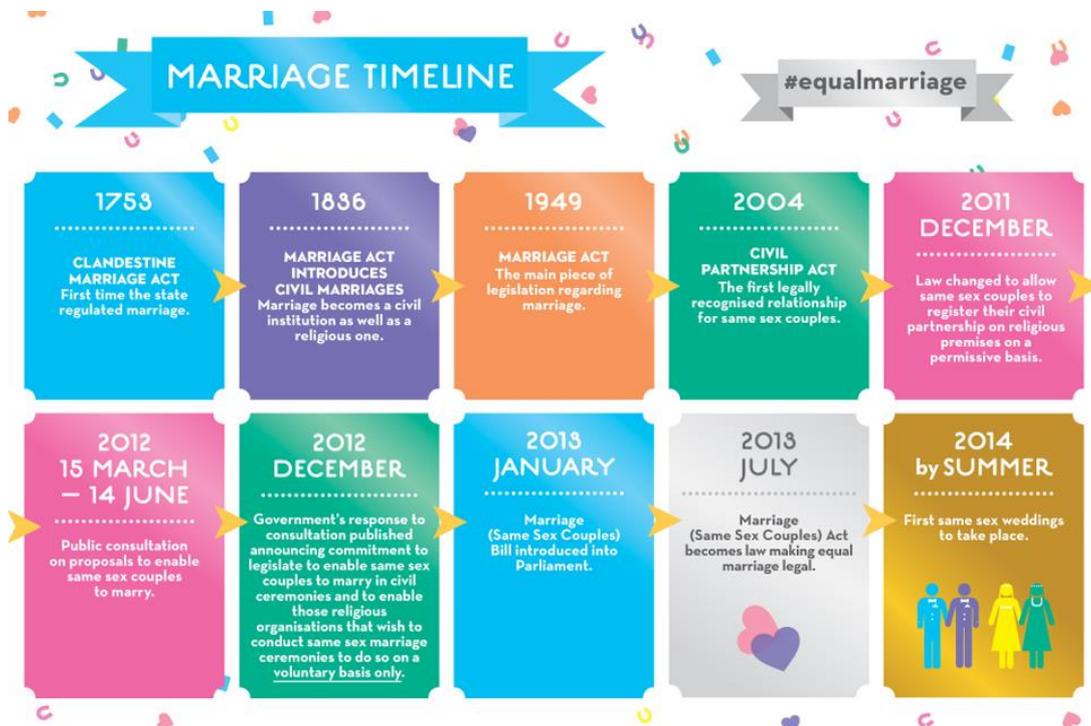
<http://www.flickr.com/photos/thedcms/sets/72157632213258507/>

Civil Partnerships vs Marriage

<http://www.lgf.org.uk/Take-Action/love-equal-marriage/cps-versus-marriage/>

How the Bill affects Trans People

<http://www.gires.org.uk/equal-marriage.php>



Graphic from the Department for Culture, Media & Sport