

# News from the Government Equalities Office

## Equal marriage becomes law

17 July 2013

The Marriage (Same Sex Couples) Bill has successfully completed its parliamentary passage and today received Royal Assent.

The Marriage (Same Sex Couples) Act 2013 will, for the first time, allow same sex couples to marry in England and Wales in a civil ceremony. It will also allow them to marry in a religious ceremony, where the religious organisation has opted in to such marriages and the minister of religion agrees.

The new legislation also reiterates the Government's absolute commitment to religious freedom by ensuring that no religious organisation or individual minister can be forced to conduct same sex marriages.

Women and Equalities Minister, Maria Miller said:

"Marriage is the bedrock of our society and now irrespective of sexuality everyone in British society can make that commitment. It is a wonderful achievement and whilst this legislation may be about marriage, its impact is so much wider. Making marriage available to all couples demonstrates our society's respect for all individuals regardless of their sexuality. It demonstrates the importance we attach to being able to live freely. It says so much about the society that we are and the society that we want to live in.

"The fact that the Bill passed through both Houses undefeated is a huge accomplishment for the Government.

"This is a historic moment that will resonate in many people's lives. I am proud that we have made it happen, and I look forward to the first same sex wedding by next summer."

### **The Act, which applies to England and Wales, will:**

- enable same sex couples to marry in civil ceremonies;
- ensure those religious organisations which wish to do so can opt in to marry same sex couples according to their rites;
- protect religious organisations and their representatives from successful legal challenge if they do not wish to marry same sex couples;

- enable civil partners to convert their partnership to a marriage, if they wish;
- enable individuals to change their legal gender without having to end their marriage;
- require a review (including full public consultation) on whether to enable celebrant-based authorisation of marriages by belief organisations, to be published before 1 January 2015;
- require a review (including full public consultation) of the operation and future of the Civil Partnership Act 2004 in England and Wales, to start as soon as practicable, and with a report on the outcome to be published;
- require a review of current survivor benefits of occupational pension schemes (including consultation) with a report on the outcome to be published before 1 July 2014.

### **Issues debated at Lords Report stage and Third reading**

A number of non-Government amendments were tabled and debated at Lords Report stage and Third Reading. Key issues debated included:

- different legal definitions of marriage of same sex couples and marriage of opposite sex couples;
- protection of the belief that marriage should be of one man with one woman;
- conscience opt-out for marriage registrars;
- how faith schools should approach teaching in sex education concerning the importance of marriage;
- whether statutory vows should be spoken at conversions of civil partnerships;
- whether the review of civil partnerships should look at carers and family members.

None of the amendments were accepted, resulting in no changes to the Bill.

## **Government amendments**

The Government tabled 41 amendments at Report Stage. These included:

### Meaning of “compelled”

Having listened to concerns that the meaning of “compelled” in section 2 of the Act, which provides that a religious organisation or representative cannot be compelled to consent to or conduct a marriage of a same sex couple, might be interpreted narrowly, the Government tabled an amendment to add clarity on the face of the Act. This clarified that “compelled” means “compelled by any means”, with a non-exhaustive list of conduct that is covered.

### Survivor benefits under occupational pension schemes

The Act now also includes requirement for the Secretary of State to arrange for a review of occupational pension scheme benefits provided to survivors of same sex and opposite sex couples in legal relationships, and the costs and other effects of equalising such survivor benefits in occupational pension schemes. This will include consultation with a report to be produced and published before 1 July 2014.

The Government also tabled a number of technical amendments; all were agreed to.

## **Next steps**

Work on the three reviews set out in the Act has already begun and further information on the consultation process for each one will be available shortly.

Officials are also working across Government to enable the first same sex weddings to take place by next summer.

For more information please visit the DCMS website

<https://www.gov.uk/government/news/same-sex-marriage-becomes-law>