

	Same Sex Marriage	Opposite Sex Marriage	Same Sex Civil Partnership	Opposite Sex Civil Partnership
Legal provisions	Separate legal regime from civil partnership. Provisions set out in the Marriage Act 1949, Matrimonial Causes Act 1973 and Marriage (Same Sex Couples) Act 2013.	Separate legal regime from civil partnership. Provisions set out in the Marriage Act 1949, Matrimonial Causes Act 1973.	Separate legal regime from marriage. Provisions set out in the Civil Partnership Act 2004.	Separate legal regime from marriage. Provisions set out in the Civil Partnership Act 2004 and the Civil Partnership (Opposite sex Couples) Regulations 2019.
	Married couples cannot call themselves civil partners for legal purposes.	Married couples cannot call themselves civil partners for legal purposes.	Civil partners cannot call themselves married for legal purposes.	Civil partners cannot call themselves married for legal purposes.
Eligibility	Two people of the same sex can form a marriage if they are: <ul style="list-style-type: none"> • 16 or over (with parents' permission if under 18) • Not already married or in a civil partnership • Not closely related 	Two people of the opposite sex can form a marriage if they are: <ul style="list-style-type: none"> • 16 or over (with parents' permission if under 18) • Not already married or in a civil partnership • Not closely related 	Two people of the same sex can form a civil partnership if they are: <ul style="list-style-type: none"> • 16 or over (with parents' permission if under 18) • Not already married or in a civil partnership • Not closely related 	Two people of the opposite sex can form a civil partnership if they are: <ul style="list-style-type: none"> • 16 or over (with parents' permission if under 18) • Not already married or in a civil partnership • Not closely related
Formation	Marriages are solemnised by saying a prescribed form of words.	Marriages are solemnised by saying a prescribed form of words.	Civil partnerships are registered by signing the civil partnership document, with no words required to be spoken.	Civil partnerships are registered by signing the civil partnership document, with no words required to be spoken.
	Marriages can be conducted through either a civil ceremony, or a religious ceremony if the religious organisation has agreed to solemnize marriages of same sex couples according to its rites.	Marriages can be conducted through either a civil ceremony, or a religious ceremony.	The formation of a civil partnership is an entirely civil event. Civil partners can choose to add a ceremony to follow the formation of their civil partnership but this does not form part of the formation. Where the civil partnership is formed on religious premises (where the religious organisation agrees to host same sex civil partnership), the ceremony may be religious, as long as the actual formation remains secular.	The formation of a civil partnership is an entirely civil event. Civil partners can choose to add a ceremony to follow the formation of their civil partnership but this does not form part of the formation. Where the civil partnership is formed on religious premises (where the religious organisation agrees to host opposite sex civil partnership), the ceremony may be religious, as long as the actual formation remains secular.
Administrative processes	You must give notice at least 29 days before your ceremony. Notice of marriage is given by each party in the registration district(s) in which he/she has lived for the previous 7 days.	You must give notice at least 29 days before your ceremony. Notice of marriage is given by each party in the registration district(s) in which he/she has lived for the previous 7 days.	You must give notice at least 29 days before your civil partnership. Notice of civil partnership is given by each partner anywhere within the local authority in which he/she has lived for the previous 7 days.	You must give notice at least 29 days before your civil partnership. Notice of civil partnership is given by each partner anywhere within the local authority in which he/she has lived for the previous 7 days.
	If either of the parties are subject to immigration control, notice is required to be given at a designated register office.	If either of the parties are subject to immigration control, notice is required to be given at a designated register office.	If either of the parties are subject to immigration control, notice is required to be given at a designated registration authority.	If either of the parties are subject to immigration control, notice is required to be given at a designated registration authority.
	Marriage notices display the name, date of birth, gender, condition, occupation, address and period of residence, place of marriage,	Marriage notices display the name, date of birth, gender, condition, occupation, address and period of residence, place of marriage,	Civil partnership notices display the name, date of birth, gender, condition, occupation, period of residence, place of civil partnership	Civil partnership notices display the name, date of birth, gender, condition, occupation, period of residence, place of civil partnership

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	nationality and district of residence of both parties.	nationality and district of residence of both parties.	formation, nationality and Registration Authority of residence of both parties.	formation, nationality and Registration Authority of residence of both parties.
	Marriages are registered on paper, in a hard copy register.	Marriages are registered on paper, in a hard copy register.	The details of civil partnerships are recorded in an electronic register.	The details of civil partnerships are recorded in an electronic register.
	Information about the documentation you will need to give notice of your intention to form a marriage or civil partnership is available here .			
Certificates	Marriage certificates include the name of the father (or step-father) of each of the parties.	Marriage certificates include the name of the father (or step-father) of each of the parties.	Civil partnership certificates include the names of the father and mother (or step-father or step-mother) of each of the parties.	Civil partnership certificates include the names of the father and mother (or step-father or step-mother) of each of the parties.
	Marriage certificates are available to anyone to purchase provided they can identify the entry.	Marriage certificates are available to anyone to purchase provided they can identify the entry.	Civil partnership certificates are available to anyone to purchase provided they can identify the entry. The address will only be shown on the certificate if it is provided by the applicant.	Civil partnership certificates are available to anyone to purchase provided they can identify the entry. The address will only be shown on the certificate if it is provided by the applicant.
Annulment	<p>A marriage between two people of the same sex can be annulled for the following reasons:</p> <ul style="list-style-type: none"> • If either party did not validly consent to the marriage • If either party was suffering from a mental disorder of such a kind as to render them unfit for marriage • If at the time of the marriage the respondent was suffering from a venereal disease in a communicable form • If the respondent was pregnant at the time of the marriage by some person other than the petitioner • If an interim gender recognition certificate has been issued to either party after the marriage • If a full gender recognition certificate has been issued as at the date of the marriage to the respondent 	<p>A marriage between two people of the opposite sex can be annulled for the following reasons:</p> <ul style="list-style-type: none"> • If either party did not validly consent to the marriage • Non-consummation of the marriage owing to the incapacity of either party • Non-consummation of the marriage owing to the wilful refusal of the respondent • If either party was suffering from a mental disorder of such a kind as to render them unfit for marriage • If at the time of the marriage the respondent was suffering from a venereal disease in a communicable form • If the respondent was pregnant at the time of the marriage by some person other than the petitioner • If an interim gender recognition certificate has been issued to either party after the marriage 	<p>A civil partnership between two people of the same sex can be annulled for the following reasons:</p> <ul style="list-style-type: none"> • If either party did not validly consent to the civil partnership formation • If either party was suffering from a mental disorder of such a kind as to render them unfit for civil partnership • If the respondent was pregnant at the time of the civil partnership formation by some person other than the applicant • If an interim gender recognition certificate has been issued to either party after the formation of the civil partnership • If a full gender recognition certificate has been issued as at the date of the civil partnership to the respondent 	<p>A civil partnership between two people of the opposite sex can be annulled for the following reasons:</p> <ul style="list-style-type: none"> • If either party did not validly consent to the civil partnership formation • If either party was suffering from a mental disorder of such a kind as to render them unfit for civil partnership • If the respondent was pregnant at the time of the civil partnership formation by some person other than the applicant • If an interim gender recognition certificate has been issued to either party after the formation of the civil partnership • If a full gender recognition certificate has been issued as at the date of the civil partnership to the respondent

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		<ul style="list-style-type: none"> If a full gender recognition certificate has been issued as at the date of the marriage to the respondent 		
Divorce / Dissolution	Marriage is ended by divorce, by obtaining a decree absolute.		Civil partnerships are ended by a dissolution order.	
	<p>A marriage can be ended on the ground that the marriage has broken down irretrievably, relying on one or more of the following facts:</p> <ul style="list-style-type: none"> Adultery and the petitioner finds it intolerable to live with the respondent. (The definition of adultery is sexual intercourse with someone of the opposite sex outside of marriage.) Behaviour by the respondent in such a way that the petitioner cannot reasonably be expected to live with them Desertion for 2 years Separation for 2 years (with the respondent's consent to the divorce) Separation for 5 years (no consent required) 	<p>A marriage can be ended on the ground that the marriage has broken down irretrievably, relying on one or more of the following facts:</p> <ul style="list-style-type: none"> Adultery and the petitioner finds it intolerable to live with the respondent. (The definition of adultery is sexual intercourse with someone of the opposite sex outside of marriage.) Behaviour by the respondent in such a way that the petitioner cannot reasonably be expected to live with them Desertion for 2 years Separation for 2 years (with the respondent's consent to the divorce) Separation for 5 years (no consent required) 	<p>A civil partnership can be dissolved on the ground that the partnership has broken down irretrievably, relying on one or more of the following facts:</p> <ul style="list-style-type: none"> Behaviour by the respondent in such a way that the petitioner cannot reasonably be expected to live with them Desertion for 2 years Separation for 2 years (with the respondent's consent to the dissolution) Separation for 5 years (no consent required) 	<p>A civil partnership can be dissolved on the ground that the partnership has broken down irretrievably, relying on one or more of the following facts:</p> <ul style="list-style-type: none"> Behaviour by the respondent in such a way that the petitioner cannot reasonably be expected to live with them Desertion for 2 years Separation for 2 years (with the respondent's consent to the dissolution) Separation for 5 years (no consent required)
Recognition overseas	Same sex marriages formed in England and Wales are recognised in many countries, but if you are going abroad you should seek advice about what rights you might have under the law of another country.	An opposite sex marriage formed in England and Wales will be recognised internationally.	Same sex civil partnerships formed in England and Wales are recognised in many countries, but if you are going abroad you should seek advice about what rights you might have under the law of another country.	Opposite sex civil partnerships formed in England and Wales are recognised in many countries, but if you are going abroad you should seek advice about what rights you might have under the law of another country.
State pensions for married couples and civil partners	<p>Married same sex couples who reached State Pension age before 6 April 2016 are treated the same as men married to women, irrespective of their gender, i.e. they may be eligible for a lower-rate basic State Pension based on their spouse's National Insurance contributions, provided their spouse was born after 5 April 1950.</p> <p>The new State Pension introduced for people who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record only and an</p>	<p>Married men may be eligible for a lower-rate basic State Pension based on their spouse's National Insurance contributions, provided their spouse was born after 5 April 1950.</p> <p>Married women who reached State Pension age before 6 April 2016 may be eligible for a lower-rate basic State Pension based on their husband's National Insurance contributions regardless of when he was born.</p> <p>A married woman whose spouse changes legal gender from male to female during the</p>	<p>Same sex civil partners who reached State Pension age before 6 April 2016 are treated the same as men married to women, irrespective of their gender, i.e. they may be eligible for a lower-rate basic State Pension based on their civil partner's National Insurance contributions provided their civil partner was born after 5 April 1950.</p> <p>The new State Pension introduced for people who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record only and an</p>	<p>Opposite sex civil partners who reached State Pension age before 6 April 2016 are treated the same as men married to women, irrespective of their gender, i.e. they may be eligible for a lower-rate basic State Pension based on their civil partner's National Insurance contributions provided their civil partner was born after 5 April 1950.</p> <p>The new State Pension introduced for people who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record only and an</p>

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	option to get a lower-rate basic State Pension is no longer available, although there is some transitional protection.	<p>marriage may qualify for a lower-rate basic pension based on her spouse's National Insurance contributions regardless of her spouse's date of birth. This is the same treatment as if her spouse had not changed their legal gender.</p> <p>The new State Pension introduced for people who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record only and an option to get a lower-rate basic State Pension is no longer available, although there is some transitional protection.</p>	option to get a lower-rate basic State Pension is no longer available, although there is some transitional protection.	option to get a lower-rate basic State Pension is no longer available, although there is some transitional protection.
State Pensions for widowed married couples and civil partners	<p>Married same sex couples who reached State Pension age before 6 April 2016 are treated in the same way as men whose wives have died, irrespective of their gender. Where the surviving spouse is widowed over state pension age and the late spouse died/dies while under state pension age, the survivor may be able to inherit basic State Pension and earnings-related State Pension if he or she reached state pension age after 5 April 2010.</p> <p>The new State Pension introduced for those who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record and eligibility to inherit State Pension has ended, although there is some transitional protection.</p>	<p>Widowed men in an opposite sex marriage who reached State Pension age between 6 April 2010 and 5 April 2016, and whose wives died/die under state pension age, may be able to inherit basic State Pension and earnings-related State Pension based on their wife's National Insurance contributions.</p> <p>Widowed men in an opposite sex marriage who reached State Pension age before 6 April 2010 may be treated in the same way as women whose husbands have died, if the wife died after 5 April 1979 and provided both husband and wife are over State Pension age at the date of death. If this condition is not satisfied, then the survivor may be eligible to basic State Pension but not earnings-related State Pension.</p> <p>Widowed women in an opposite sex marriage who reached State Pension age before 6 April 2016 may be able to inherit basic State Pension and earnings-related State Pension based on their husband's National Insurance contributions.</p> <p>The new State Pension introduced for those who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record and eligibility</p>	<p>Same sex civil partners who reached State Pension age before 6 April 2016 are treated the same as men whose wives have died, irrespective of their gender. Where the surviving civil partner is widowed over state pension age and the late civil partner died/dies while under state pension age, the survivor may be able to inherit basic State Pension and earnings-related State Pension if he or she reached state pension age after 5 April 2010.</p> <p>The new State Pension introduced for those who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record and eligibility to inherit State Pension has ended, although there is some transitional protection.</p>	<p>Opposite sex civil partners who reached State Pension age before 6 April 2016 are treated the same as men whose wives have died, irrespective of their gender. Where the surviving civil partner is widowed over state pension age and the late civil partner died/dies while under state pension age, the survivor may be able to inherit basic State Pension and earnings-related State Pension if he or she reached state pension age after 5 April 2010.</p> <p>The new State Pension introduced for those who reach State Pension age from 6 April 2016 is generally based on an individual's own National Insurance record and eligibility to inherit State Pension has ended, although there is some transitional protection.</p>

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		to inherit State Pension has ended, although there is some transitional protection.		
Survivor benefits – occupational pension schemes	Occupational pension schemes are required to pay survivor benefits to same sex survivors based on the gender of the scheme member. This means that a male same sex survivor would be treated the same as an opposite sex widow, and a female same sex survivor would be treated the same as a widower.	Survivor benefits must be equal for widows and widowers in respect of accruals from 17 May 1990.	Occupational pension schemes are required to pay survivor benefits to same sex survivors based on the gender of the scheme member. This means that a male same sex survivor would be treated the same as an opposite sex widow, and a female same sex survivor would be treated the same as a widower.	Survivor benefits must be equal for male and female survivors in respect of accruals from 17 May 1990.
Survivor benefits – public service pensions	<p>A survivor in a same sex marriage receives the same as a female survivor of an opposite sex relationship - i.e. the survivor (regardless of gender) receives a “widow’s pension” calculated based on accruals from April 1978. This is more generous than a “widower’s pension”, which is calculated on accruals from April 1988.</p> <p>Following the decision in <i>Barber</i>, GMPs must be equalised (“levelled-up”) as between male and female members on accruals since 17 May 1990.</p>	<p>A <i>female</i> survivor in an opposite sex marriage receives a “widow’s pension” (calculated based on accruals from April 1978) whilst a <i>male</i> survivor receives a “widower’s pension”. A “widower’s pension” takes account of accruals since April 1988 and is therefore less generous than a “widow’s pension”.</p> <p>Following the decision in <i>Barber</i>, GMPs must be equalised (“levelled-up”) as between male and female members on accruals since 17 May 1990.</p>	<p>A survivor in a same sex civil partnership receives the same as a female survivor of an opposite sex relationship – i.e. the survivor (regardless of gender) receives a “widow’s pension” calculated based on accruals from April 1978. This is more generous than a “widower’s pension”, which is calculated on accruals from April 1988.</p> <p>Following the decision in <i>Barber</i>, GMPs must be equalised (“levelled-up”) as between male and female members on accruals since 17 May 1990.</p>	<p>A survivor in an opposite sex civil partnership will receive the same as a survivor of the same gender in an opposite sex marriage – i.e. a <i>female</i> survivor will receive a “widow’s pension” (calculated based on accruals from April 1978) whilst a <i>male</i> survivor will receive a “widower’s pension”. A “widower’s pension” takes account of accruals since April 1988 and is therefore less generous than a “widow’s pension”.</p> <p>Following the decision in <i>Barber</i>, GMPs must be equalised (“levelled-up”) as between male and female members on accruals since 17 May 1990.</p>