

**An Information Leaflet on the  
Registration of Civil Partnerships  
in Ireland**

# Entering into a Civil Partnership

	<b>Page</b>
Civil partnership notification process	3
Civil partnership registration process	7
Persons who were previously in a civil partnership / married	9
Civil partnerships and dissolutions outside Ireland	12
Appendices	13

The legal provisions concerning civil partnership registration are contained in Part 3 of the Civil Partnership and Certain Rights and Obligations of Cohabitants Act, 2010. These provisions amend the Civil Registration Act, 2004 to provide for the registration of civil partnerships in Ireland.

Entering into a civil partnership is a solemn legal contract and it is vital that all the necessary legalities are complied with in order to ensure that a civil partnership is legally valid.

The information in this booklet reflects the requirements of the legislation and should be noted carefully. If you have any enquiries about the details contained herein you should contact the General Register Office, Government Offices, Convent Road, Roscommon by telephone at LoCall 1890-252076 or email via the 'contact us' option on our website [www.groireland.ie](http://www.groireland.ie).

To make an appointment to give notification of intention to enter into a civil partnership ('three months' notice') you should contact your local civil registration office. The contact details for all offices can be found on the Health Service Executive website at: [www.hse.ie/eng/services/Find\\_a\\_Service/bdm/](http://www.hse.ie/eng/services/Find_a_Service/bdm/)

**NOTE:** This booklet is designed to provide general information on civil partnership registration in Ireland. It does not purport to be a legal interpretation of the relevant legislation and should not be construed as such.

## **Preliminaries to a valid Civil Partnership**

To contract a valid civil partnership in this State the parties to the civil partnership must:

- Have the capacity to enter into a civil partnership
- Freely consent to the civil partnership
- Observe the civil partnership notification process as required by law
- Meet all other substantive requirements for civil partnership as outlined in Part 7A of the Civil Registration Act, 2004

### **Minimum Age for Civil Partnership:**

The minimum age at which a person may legally contract into a civil partnership, is eighteen years of age. All persons giving notice of intention to enter into a civil partnership must provide a Registrar with evidence of age and identity. Failure to produce such evidence will result in refusal to proceed with the civil partnership registration.

### **Civil Partnership Notification Process:**

#### ***Personal Notification***

The requirement to give three months notice of intention to enter a civil partnership to a Registrar is a legal requirement for a valid civil partnership. A civil partnership will not be valid in law unless the three months notice has been given.

Every couple intending to enter into a civil partnership in the State must attend (by appointment only) at the office of a Registrar, in person, to give at least three months notice of intention to enter into a civil partnership. For example, any couple entering into a civil partnership on or after 01 August 2011 must have given notification to a Registrar on or before 01 May 2011.

The notification can be given at any Registrar's office. It does not have to be a Registrar in the area where the civil partnership registration is to take place or where the couple are living. It may, for example, be more convenient for a couple to attend a Registrar's office near their place of work. Whichever office you choose to attend, you must make a prior appointment with a Registrar.

While a minimum of three months' notice is required by law, couples are advised to contact the Registrar well in advance of three months before their intended date of civil partnership registration to ensure they can get a timely appointment. Details for all civil registration offices can be found on the HSE website at: [www.hse.ie/eng/services/Find\\_a\\_Service/bdm/](http://www.hse.ie/eng/services/Find_a_Service/bdm/)

### ***Documentation Required***

The notification details will be entered on a computerised notification system by the Registrar on the basis of the information given by the parties. When attending the Registrar's office for notification the parties must pay the appropriate fee and provide the Registrar with evidence of their name, address, date of birth, civil status and nationality.

In general, all couples will be asked to produce:-

- Passport as photographic identification,
- Original Birth Certificate (must bear an apostille stamp if it is from outside Ireland),
- Proof of address,
- Fee for notification
- If either party is divorced - original final decrees in respect of all previous marriages,
- If either party has a civil partnership dissolution - original dissolutions in respect of all previous civil partnerships,
- If widowed - the death certificate(s) of the previous spouse(s) and the civil marriage certificate(s) for their previous marriage(s),
- If party to a civil partnership or marriage that was annulled by an Irish Court - the final decree of nullity and a letter from the relevant court confirming that no appeal was lodged,
- If a surviving civil partner - the death certificate(s) of the previous civil partner(s) and the civil partnership registration certificate(s), and
- PPS Numbers (where applicable).

Additional documentation may be required in some cases, such as where a divorce has been granted outside the State and it must be determined whether it is entitled to recognition under Irish law. The Registrar will advise what is required in each individual case.

In addition to their personal particulars, the couple will be requested to provide details in relation to their proposed civil partnership such as:-

- the intended date of civil partnership,
- the names and dates of birth of their witnesses, and
- details of the proposed venue.

They will also both have to complete a declaration of no impediment stating that they are not aware of any lawful impediment to the proposed civil partnership. (A list of impediments is contained in Appendix 2.)

Once the notification is complete, the Registrar will issue each party to an intended civil partnership with an acknowledgement confirming the date of the receipt of the notification. It should be noted that these acknowledgements are for record purposes only, and are not intended to be a licence or certificate signifying the approval of the Registrar concerned to any proposed civil partnership. All the other legally required civil partnership preliminaries, as set out in this booklet, must also be complied with.

**It is also important to note that the Registrar will not confirm a date for the civil partnership until such time as the notification process is complete.**

A person who registers or is a party to a civil partnership where he/she is aware that the three months notification of intention to enter into a civil partnership has not been given is guilty of an offence and shall be liable on summary conviction to a fine not exceeding €2,000 or imprisonment for a term not exceeding 6 months or both.

### **Postal Notifications**

It is possible for a couple to post a three months notice of intention to enter a civil partnership to the Registrar in very limited circumstances, and only by prior agreement with the Registrar. The circumstances for such a notification are:

- In cases of critical illness of one of the parties
- or**
- Where one or both parties are resident outside the State

**NOTE: Special arrangements can be made where one or both parties is/are seriously ill - the Registrar will confirm same if required.**

It is important to note that with a postal notification the couple must still attend the Registrar's office in person at least 5 days prior to the civil partnership registration to make the declaration of no impediment and provide the necessary documentation and particulars as set out above under 'documentation required'.

Postal notifications of intention to enter into a civil partnership should not be returned to the General Register Office. All such notifications must be returned to the Registrar who issued the postal form.

In the case of postal notifications, if either party has been previously married or in a previous civil partnership, they must submit the original final divorce decree, civil partnership dissolution or death certificate of the former spouse(s) or civil partner(s) along with the notification. The Registrar will confirm these requirements when authorisation to give notice by post is sought.

### **Exemptions**

The requirement to give three months notice of intention to enter a civil partnership may be exempted by way of an application to a court. Applications for such exemptions must be made to the Circuit Family Court where either party resides, carries out an occupation, or where the civil partnership is to be registered or the High Court. The court requires applicants for exemptions to show that their applications are justified by demonstrating good reasons and that the granting of the application is in the interests of the parties concerned. In cases where an exemption from the three months notice has been granted the couple must still attend the Registrar's office in person by appointment at least 5 days before the civil partnership to make the declaration of no impediment and to produce the necessary documentation and particulars set out above.

Contact details for all courts can be located on [www.courts.ie](http://www.courts.ie).

### **The Civil Partnership Registration Form (CPRF)**

The Civil Partnership Registration Form (CPRF) is completed when the Registrar is satisfied that all required details have been provided and that the couple are free to enter into a civil partnership. In practice, this document will be held by the Registrar until the date of civil partnership registration.

The CPRF is the legal document for effecting registration of a civil partnership. It is therefore of the utmost importance that all details provided by the couple at their notification appointment are correct.

It is strongly advised that couples bring all documents and information requested by the Registrar to their notification appointment so that the entire process, including completion of the CPRF, can be completed in one meeting.

## **Civil Partnership Registration Process**

The following is a broad summary of the procedure for registering a civil partnership in the State. It applies to both Irish citizens and non-Irish citizens. **In all cases the preliminaries outlined in the previous section must be complied with.**

### **Civil Partnership Registration:**

Civil partnership registration may take place at the office of a Registrar **or** at a venue which has been agreed between the couple and the Registrar and approved in advance by the Registrar.

The civil partnership registration must take place in a place that is open to the public and in the presence of two witnesses who are both over 18 years of age.

The legal requirements for registration of a civil partnership are:

- (a) that the registrar is satisfied that the parties to the civil partnership understand the nature of the civil partnership
- (b) that each party declares
  - (i) that they do not know of any impediment to the civil partnership
  - (ii) their intention to live with and support the other party, and
  - (iii) that they accept the other party as a civil partner, and
- (c) signature of the CPRF by the parties to the civil partnership, the witnesses and the Registrar.

### **Venues for Civil Partnership Registration:**

If you wish to have a civil ceremony at a venue other than a Registry Office, you must contact the Registration Office in the area where the venue is located and apply to have the venue approved for the civil partnership. This may involve the Registrar making an inspection of the venue. In order that the venue can be inspected in good time for your intended civil partnership, it is recommended that you make appropriate arrangements with the venue well in advance of your notification appointment with the Registrar.

The requirements for approval of places for the civil partnership are available from any local civil registration office or on the GRO website at **[www.groireland.ie](http://www.groireland.ie)**.

It is important that you do not enter into any binding arrangements with the venue until the registrar has confirmed that he/she is available to register your civil partnership on the date and at the venue in question.

Please note there will be additional fees for civil partnership registration at venues other than the office of a Registrar. The Registrar will advise you of what fees are due when you are giving your notification.

**Use of Interpreters:**

The services of an accredited interpreter must be obtained where any of the parties to the civil partnership does not have sufficient knowledge of the language of the civil partnership to understand it. It is the responsibility of the couple to arrange this service.

## **Persons who were previously in a civil partnership or married**

### **Civil Partnership of persons who have been previously married or in a civil partnership:**

If either party has been previously married or has been a party to a civil partnership the following documents are required:-

Divorced:	Original final divorce decree(s)
Former Civil Partner:	Original final dissolution(s) of civil partnership
Widowed:	Death certificate(s) of late spouse(s) together with original civil marriage certificate(s)
Surviving Civil Partner:	Death certificate(s) of late civil partner(s) together with original civil partnership certificate(s)

English translations of the documents must be provided where necessary.

If either party was married or in a civil partnership that was annulled by an Irish court the final decree of nullity, together with a letter from the relevant court confirming that no appeal was lodged, must be provided to the Registrar.

**If either of the parties to a proposed civil partnership was previously married or party to a civil partnership this fact should be brought to the attention of the Registrar at the time of making the appointment for notification.**

### **Foreign Divorces/Dissolutions**

In the case of a divorce granted by a Court of another State the following procedure applies:-

- If the divorce decree is in a foreign language, an English translation of the Divorce must be provided, duly certified by a relevant official body or recognised translation agency. In the case of a foreign divorce, consideration is given to the question of whether the divorce is recognisable under Irish law before a final date for the civil partnership is confirmed.

- Where the divorce comes within EU regulations, it is sufficient if the divorce document confirms that both parties to the divorce were notified of the proceedings and had an opportunity to give evidence to the court which granted the divorce. If this is not indicated in the final divorce document, any additional documentation required will be confirmed by the Registrar at the notification appointment.
- Where EU regulations do not apply, certain evidence as to place of birth, countries of residence and other relevant facts must be supplied on a questionnaire provided by the Registrar. The information is then forwarded to the General Register Office where further requirements may be identified.
- If a legal dissolution of a civil partnership is granted outside Ireland, it will be recognised under Irish law if the Minister for Justice and Law Reform has made an order recognising the appropriate class of legal relationships in the jurisdiction in which the dissolution was granted.

The rules regarding the recognition of foreign divorces under Irish law are complex and it is advised that specific enquiries in that regard be addressed to the General Register Office at 090-6632945/49/64/70 or via the ‘contact us’ section on our website at [www.groireland.ie](http://www.groireland.ie).

### **Irish Divorces or Dissolutions**

In the case of a divorce or dissolution granted by an Irish Court, the original court decree in respect of same must be presented to the appropriate Registrar at the notification appointment.

It should be noted that a distinction exists between nullity, separation, divorce and dissolution, and the broad distinctions are outlined below:-

- If no valid marriage or civil partnership existed in the first instance a decree of nullity may be sought from the Irish Courts - a civil decree of nullity means that the marriage or civil partnership registration in question had no legal effect and the parties concerned are free, in civil law, to enter into a civil partnership.
- If a valid marriage is in place and a couple separate (by judicial means or by agreement) the parties concerned are not permitted to enter into a civil partnership.

- If the parties to a valid marriage subsequently divorce (and this divorce is granted by an Irish court or recognised by this State) either of the parties concerned may enter into a civil partnership.
- If the parties to a valid civil partnership are subsequently granted a dissolution (and this dissolution is granted by an Irish court or recognised by this State) either of the parties concerned may enter into a civil partnership.

The procedures involved in seeking decrees of nullity, separations, divorces or dissolutions are a matter for the appropriate Courts, and Registrars do not have any function in regard to those procedures. Contact should be made directly with the appropriate Courts Offices.

It should be noted that an annulment granted by the authorities of a religious body does not have any effect in civil law and persons who have obtained a church annulment only are not free to enter into a civil partnership.

## **Civil Partnership outside of Ireland**

The Civil Partnership and Certain Rights and Obligations of Cohabitants Act, 2010 provides for the recognition of registered foreign relationships. Section 5 of the Act provides that the Minister for Justice and Law Reform may, by order, declare that a class of legal relationship entered into by two parties of the same sex is entitled to be recognised as a civil partnership if certain criteria are met. Any enquiries in relation to such orders should be directed to the Department of Justice and Law Reform - LoCall 1890 221-227.

The General Register Office has no function in advising on, or in the registration of, civil partnerships which take place outside Ireland. There is no facility for registering such civil partnerships in the State.

# *Appendix I*

## **Checklist for couples applying to enter into a civil partnership**

### **1) Notification**

Make an appointment with a Registrar to give notification of intention to enter into a civil partnership (notification must be given at least 3 months in advance of registration; parties are advised to do so at the earliest possible stage).

### **2) Documents required when giving notification**

- Passport as photographic identification (if this is not available, you must discuss this with the Registrar when making your appointment)
- Birth Certificate (must bear an apostille stamp if it is from outside Ireland)
- Proof of address
- PPS Number (where applicable)
- If either party is divorced, original final decrees in respect of all previous divorces
- If either party is widowed, death certificate of the spouse and the civil marriage certificate
- If either party had a previous civil partnership dissolved, original final decree of dissolution in respect of all previous registered civil partnerships
- If either party is a surviving civil partner, a death certificate of the civil partner and the civil partnership certificate.

Additional documentation may be required in some instances, such as where a divorce has been granted outside the State and it must be determined whether it is recognised under Irish law. The Registrar will advise what is required in each case at the notification appointment.

There is also a fee applicable for notification and must be paid at your appointment.

**3) Additional details required**

- the intended date of civil partnership,
- the names and dates of birth of the two witnesses, and
- details of the proposed venue.

## Appendix 2

### Impediments to a Civil Partnership

There is an impediment to a civil partnership if:

- One or both of the parties to the intended civil partnership will be under the age of 18 years of age on the date of the intended civil partnership registration.
- One or both of the parties to the intended civil partnership is, or both are, already party to a subsisting civil partnership or a subsisting marriage.
- One or both of the parties does not give free and informed consent.
- The parties are not of the same sex.
- The civil partnership would be void by virtue of the prohibited degrees of relationship.

A person may not enter a civil partnership with someone within the prohibited degrees of relationship, as set out in the table below. Relationships within that table should be construed as including relationships in the half-blood (e.g. sibling includes a sibling where there is only one parent in common etc.), and all the relationships include relationships and former relationships by adoption.

<b>A man may not enter a civil partnership with his:</b>	<b>A woman may not enter a civil partnership with her:</b>
Grandfather	Grandmother
Grandparent's brother	Grandparent's sister
Father	Mother
Father's brother	Mother's sister
Mother's brother	Father's sister
Brother	Sister
Nephew	Niece
Son	Daughter
Grandson	Granddaughter
Grandnephew	Grandniece

**General Note: If you require further information on anything contained in this booklet please contact your local Civil Registration Office (contact details at [www.hse.ie/eng/services/Find\\_a\\_Service/bdm](http://www.hse.ie/eng/services/Find_a_Service/bdm)) or the General Register Office at LoCall 1890 252076 or +353 (0)90 6632900.**