

PITCAIRN, HENDERSON

DUCIE & OENO ISLANDS

No 001 of 2015



Jonathan Sinclair

Enacted by the Governor of the Islands
of Pitcairn, Henderson, Ducie and Oeno

SAME SEX MARRIAGE AND CIVIL PARTNERSHIPS ORDINANCE 2015

DATE MADE: 05/MAY/2015

DATE PUBLISHED: 13/MAY/2015

An Ordinance to explicitly provide for same sex marriages and for recognition of civil partnerships on Pitcairn

PART I – PRELIMINARY

Title and
commencement

1. This Ordinance may be cited as the Same Sex Marriage and Civil Partnerships Ordinance 2015 and shall come into force on the day after it is published.

PART II – DEFINITION OF MARRIAGE

Definition of
Marriage

7. Section 2 of the Interpretation and General Clauses Ordinance is amended by inserting, in appropriate alphabetical order, the following definitions –

“marriage” –

(a) includes marriage of a same sex couple; and

(b) includes a registered civil partnership that is entered into outside of Pitcairn in accordance with the laws of that place;

and "married" and "married person" have corresponding meanings;

"spouse" –

(a) includes a person who is married to a person of the same sex; and

(b) unless otherwise specified, includes a person who is a party to a registered civil partnership that is entered into outside of Pitcairn in accordance with the laws of that place;

and "husband" and "wife" have corresponding meanings;

PART III – AMENDMENTS TO MARRIAGE ORDINANCE

Marriage
Ordinance

2. Sections 3 to 6 of this Ordinance amend the Marriage Ordinance.

Interpretation

3.-(1) This section amends section 1(2).

(2) The definition of "child of the marriage" is amended by –

(a) deleting the words "the husband and wife" in the phrase "means a child of the husband and wife", and inserting the words "both spouses together" in their place;

(b) deleting the words "the husband and wife" in the phrase "whether or not a child of the husband or wife", and inserting the words "either spouse" in their place; and

(c) deleting the words "the husband and wife" in the phrase "the husband and wife ceased to live together", and inserting the word "they" in their place.

(3) The definition of "spouse" is amended by deleting the words "means a person's husband or wife, and where that person's marriage", and inserting the words ", in relation to a person whose marriage".

(4) The following definition is inserted in appropriate alphabetical order –

""marriage" means the union of two people regardless of their sex, sexual orientation or gender identity;"

Marriage in a
Registrar's office

4. Section 23 is amended by –

- (a) deleting the word “thus” in the phrase “address the parties thus”, and inserting the phrase “in the following words or words to a similar effect” in its place;
- (b) deleting the words “to him” in the phrase “production to him”; and
- (c) inserting the words “or her” after the word “he” in the phrase “he shall proceed”.

Discharge of
separation order

5. Section 48 is amended by –

- (a) deleting the words “husband and the wife”, and inserting the words “married couple” in their place; and
- (b) deleting the words “husband and wife”, and inserting the words “a married couple” in their place.

Schedule

6. Form (E) in the First Schedule is repealed and replaced by the form in Schedule 1 of this Ordinance.