



Northern Ireland  
Assembly

## Research and Information Service Bill Paper

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# Marriage and Civil Partnership Bill

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This Bill Paper has been prepared by the Assembly Research and Information Service (RaISe). It provides an overview of the Marriage and Civil Partnership Bill. It provides a background to the policy changes proposed by the Bill including a comparison with neighbouring jurisdictions and an overview of responses to the public consultation. It further lays out some scrutiny points Members may wish to consider during their examination of the Bill.

This information is provided to Members of the Legislative Assembly (MLAs) in support of their duties, and is not intended to address the specific circumstances of any particular individual. It should not be relied upon as professional legal advice, or as a substitute for it.

## Key Points

- Marriages involving under-18s are uncommon in Northern Ireland, with 38 such marriages recorded in 2024, representing around 0.5% of all marriages.
- The Bill proposes to put belief marriage on an equal legal footing with religious marriage. This is currently a temporary arrangement following the *Smyth* judgment. Over 5000 belief marriages have taken place on these temporary arrangements.
- The Bill also proposes to raise the minimum age for marriage and civil partnership from 16 to 18, with no exceptions. This would mirror the minimum age in the Republic of Ireland and England and Wales.
- The Bill would introduce a new offence in relation to conduct intended to cause a child to marry before they turn 18, whether or not coercion is involved.
- The Department of Finance (the Department) found strong support for both proposals in response to its public consultation.
- The consultation also showed mixed support for allowing independent celebrants to legally solemnise marriage but no proposals around this are included in the Bill.
- The Bill would define what constitutes a religious or belief body and would also enable further qualifying criteria to be introduced through regulations if required. Such regulations would require the approval of the Assembly.
- International human rights standards support a minimum age of 18 and consider marriage below this to be child marriage.

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## Introduction

The Marriage and Civil Partnership Bill was introduced to the Assembly by the Minister for Finance ('the Minister') on 16 March 2026 and passed Second Stage on 20 April 2026 with no division.

As set out in the Bill's Explanatory and Financial Memorandum (EFM) and during the Second Stage debate in the Assembly, the Bill's two main aims are:

- to put non-religious belief marriages (such as humanism) on an equal footing with religious marriage under the Marriage (Northern Ireland) Order 2003 ('the 2003 Order')
- to raise the minimum age of marriage and civil partnership from 16 to 18.<sup>1</sup>

This paper will outline the background to each of these policies and the context to the proposed changes in turn, including the situation in neighbouring jurisdictions. In each of these two sections there is also discussion on the public consultation undertaken by the Department of Finance ('the Department').

The paper will then go through the specific clauses of the Bill and, where relevant, highlighting any related consultation responses. There are also some potential scrutiny points that Members may wish to note.

This paper does not consider the financial implications of the Bill. This paper should be read in conjunction with RaISe briefing paper NIAR-92-2026 which provides a review of costs associated with the Bill.

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<sup>1</sup> Marriage and Civil Partnership Bill, [Explanatory and Financial Memorandum](#) (2026) p1

# 1 Background and Policy Context

It is also important to note that the Bill proposes to amend two main pieces of legislation; the 2003 Order mentioned above and the Civil Partnership Act 2004 ('the 2004 Act'). These are briefly outlined here first before further background on the main changes proposed by the Bill.

## 1.1 The Marriage (Northern Ireland) Order 2003

The 2003 Order is a statutory framework which was intended to replace the previous, more complex, system of preliminaries to marriage with a more uniform, universal system based on the longstanding model in Scotland.<sup>2</sup>

This framework means that the preliminaries to a marriage are identical whether the marriage is a civil or religious one and no matter the religious denomination.

## 1.2 The Civil Partnership Act 2004

The 2004 Act enabled same sex couples to obtain legal recognition of their relationship by forming a civil partnership.<sup>3</sup>

## 1.3 Non-Religious Belief Marriage

Non-religious belief marriage ('belief marriage') refers to a legally recognised marriage solemnised by a celebrant representing a non-religious belief organisation. Probably the most well-known example of such organisations is humanism.

This is distinct from a civil marriage, which may be chosen by individuals with non-religious beliefs but is conducted by a state registrar rather than a belief-based celebrant.

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<sup>2</sup> Marriage (Northern Ireland) Order 2003, [Explanatory Memorandum](#) (2003)

<sup>3</sup> [Civil Partnership Act](#) 2004

### 1.3.1 Smyth case

As noted above the 2003 Order deals with religious and civil marriages but not belief marriage. The different treatment of religious and belief marriage was successfully challenged in the courts (the 'Smyth case').

In 2017, a legal challenge was brought by a humanist individual, who was due to marry her humanist fiancé, against the decision by the General Register Office (GRO) to refuse their humanist celebrant's application for temporary authorisation under article 14 of the 2003 Order. Article 14 of the 2003 Order enables the Registrar General to allow temporary authorisation to the members of religious bodies to act as officiants.<sup>4</sup>

The applicant's case alleged that this refusal breached her rights under the European Convention on Human Rights (ECHR), specifically Articles 9 (freedom of thought, conscience and religion) and 14 (Prohibition of discrimination).<sup>5</sup> The High Court agreed and ruled that belief marriage be read into the relevant articles of the 2003 Order.<sup>6</sup>

The High Court judgment was appealed, however the Court of Appeal agreed with much of the arguments advanced previously in support of belief marriage. It agreed that:

- humanism was a serious, cogent and cohesive belief system important to the couple in the Smyth case;
- there was no material difference between religious and non-religious belief marriages; and,
- the GRO's decision not to permit a humanist marriage ceremony had been discriminatory.

The main difference between these two judgments was the way in which the courts ruled on addressing the issue. Rather than reading in belief marriage to

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<sup>4</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p15

<sup>5</sup> [2017] [NIQB 55](#) p7

<sup>6</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p16 and [2017] [NIQB 55](#) p42

the 2003 Order, the Court of Appeal instead found that Article 31 of the 2003 Order could be used to enable the appointment of a humanist celebrant.<sup>7</sup> Article 31 of the 2003 Order deals specifically with the appointment of individuals to solemnise civil marriages.

The full judgments for both of these cases ([2017] NIQB 55 and [2018] NICA 25) provide more information on the arguments put forward in both as well as the courts' considerations and analysis of the matter.<sup>8</sup>

### 1.3.2 Temporary arrangements

As set out in the Department's public consultation document, humanist marriages became possible following the Smyth case with humanist celebrants appointed under Article 31 of the 2003 Order. However, whilst these ceremonies were humanist in style, they were technically civil marriages in law.<sup>9</sup>

Whilst humanist marriages were possible, many humanists argued that the arrangement under Article 31 did not provide what they wanted: official recognition of belief marriage and full equality between belief and religious marriage.<sup>10</sup>

In response, in 2021, the then-Finance Minister launched a public consultation on this issue. This will be discussed in further detail through this paper. In addition, the Minister introduced a temporary measure based on the precedent in Scotland. He chose to read in aspects of belief marriage to the 2003 Order, an arrangement consistent with the High Court's judgment.<sup>11</sup>

According to the Department, "the effect of this is that belief marriage has been placed on a broadly similar footing with religious marriage albeit for a

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<sup>7</sup> Judicial Communications Office, [Summary of judgment - In re Smyth](#) (2018)

<sup>8</sup> [2017] [NIQB 55](#) and [2018] [NICA 25](#)

<sup>9</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p17

<sup>10</sup> As cited immediately above

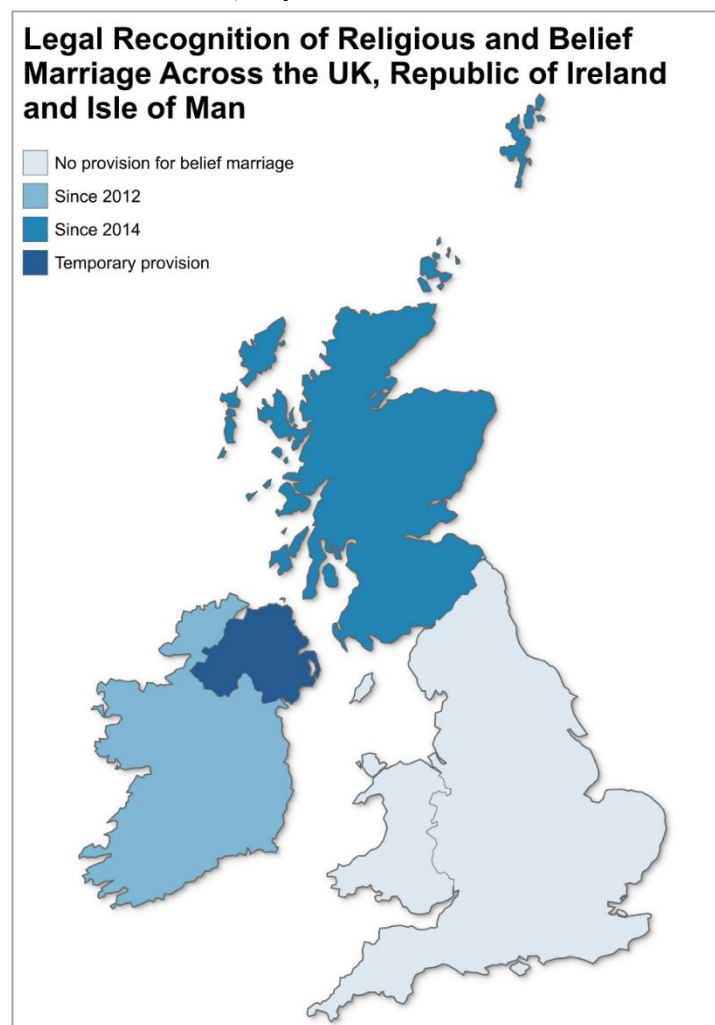
<sup>11</sup> As cited at footnote 9, p18

temporary, though extended, period.”<sup>12</sup> Over 5000 belief marriages have taken place under the current, temporary system.<sup>13</sup>

### 1.3.3 Non-religious belief marriages in other jurisdictions

Across neighbouring jurisdictions, three approaches can be observed. Scotland operates a more flexible approach (with discretion in recognising belief bodies), the Republic of Ireland applies a more structured, criteria-based approach, and England and Wales and the Isle of Man have no legal provision recognising belief marriages.

**Figure 1 – Map showing the Timing of Legal Recognition of Religious and Belief Marriage across the UK, Republic of Ireland and Isle of Man**



<sup>12</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p18

<sup>13</sup> Northern Ireland Assembly Official Report 20 April 2026 [Vol. 192, No.3](#) p17

### 1.3.3.1 Scotland

As referenced previously, the 2003 Order was modelled on the Marriage (Scotland) Act 1977 ('the 1977 Act') and, as such, marriage law is similar in both jurisdictions. In 2005, the General Register Office Scotland, now the National Records of Scotland (NRS) read belief marriage into relevant sections of the 1977 Act.<sup>14</sup> Similar to the current situation in Northern Ireland, this allowed humanist or other belief celebrants to be appointed temporarily. The 1977 Act was amended by the Marriage and Civil Partnership (Scotland) Act 2014 (the '2014 Act') which, amongst other changes, placed belief and religious celebrants on an equal footing in relation to marriage.<sup>15</sup> The 2014 Act also introduced the religious and belief registration of civil partnership.<sup>16</sup>

The 2014 Act in Scotland provides a definition of a "religious or belief body" for the purposes of opposite sex marriage, same sex marriage and civil partnership. It states that for these purposes, a religious or belief body means:

"an organised group of people—

- (a) Which meets regularly for religious worship; or
- (b) The principal object (or one of the principal objects) of which is to uphold or promote philosophical beliefs and meets regularly for that purpose"<sup>17</sup>

There is also provision within the 2014 Act that bodies must meet "qualifying requirements" which may be laid down in regulations by the Scottish Ministers, before being prescribed. No such regulations have been made and so the decision on whether to prescribe a religious or belief body which has made a

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<sup>14</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p22

<sup>15</sup> [Marriage and Civil Partnership \(Scotland\) Act](#) 2014, Explanatory Notes

<sup>16</sup> Scottish Government, [Policy Note on The Civil Partnership, Marriage Between Persons of Different Sexes and Same Sex Marriage \(Prescribed Bodies\) \(Scotland\) Amendment Regulations](#) (2016) p1

<sup>17</sup> [Marriage and Civil Partnership \(Scotland\) Act](#) 2014 sec. 12(4)(a)

request is entirely at the discretion of the Scottish Ministers.<sup>18</sup> The Scottish Ministers follow a set procedure when considering applications by bodies to be prescribed. Details of this procedure are outlined in Policy Notes accompanying regulations prescribing a body: please see for example [The Civil Partnership, Marriage Between Persons of Different Sexes and Same Sex Marriage \(Prescribed Bodies\) \(Scotland\) Amendment Regulations 2016](#).<sup>19</sup>

A recent consultation by the Scottish Government has proposed making regulations which would lay down qualifying requirements in certain areas that religious and belief bodies would be required to meet.<sup>20</sup> This consultation closed on 21 April 2026. It will be for the incoming administration, following the May 2026 Scottish elections, to decide how or if to proceed.

### 1.3.3.2 Republic of Ireland

Under Irish law, there are three types of marriage which are all equally and legally recognised: civil, religious and secular. Legal secular marriages were introduced by the [Civil Registration \(Amendment\) Act 2012](#) ('the 2012 Act') and are carried out by a registered secular solemniser. They are performed by bodies that have beliefs that are not religious or spiritual. As is the case in other jurisdictions, humanist ceremonies are the most common type of secular ceremony.<sup>21</sup>

The definition of secular bodies under this Act differs from the definition of belief bodies outlined above in the 2014 Act in Scotland. In the Republic of Ireland, a secular body is defined as a group that, amongst other requirements:

- has at least 50 members;
- is principally secular, ethical and humanist;

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<sup>18</sup> Scottish Government, [Policy Note on The Civil Partnership, Marriage Between Persons of Different Sexes and Same Sex Marriage \(Prescribed Bodies\) \(Scotland\) Amendment Regulations](#) (2016) p2

<sup>19</sup> Scottish Government, [Family Law: Consultation Part 3: Qualifying requirements for religious and belief bodies to meet when they solemnise marriage or register civil partnership](#) (2025)

<sup>20</sup> More detail on the areas these would cover is contained in the consultation document published by the Scottish Government, [Family Law: Consultation Part 3: Qualifying requirements for religious and belief bodies to meet when they solemnise marriage or register civil partnership](#) (2025)

<sup>21</sup> Citizens Information Board, [Different types of marriage ceremony in Ireland](#) (2024)

- meets regularly in respect of those principal beliefs; and,
- has been in existence for at least five years.<sup>22</sup>

Additionally, and unlike the Scottish legislation, the 2012 Act also lays out that certain groups are not considered secular groups for these purposes. These include political parties or organisations, trade unions and chambers of commerce.<sup>23</sup>

### 1.3.3.3 England and Wales

Marriage law in England and Wales allows for both civil and religious marriage but there is no specific provision for belief marriages. This means that whilst a couple can choose to have a non-religious belief-based ceremony, these are non-binding and an additional, ceremony (such as a civil ceremony) would be required in addition for the marriage to be legally valid.<sup>24</sup>

As noted in a research briefing by the House of Commons library, a public consultation was undertaken in 2014 by the Ministry of Justice in which the majority of respondents were in favour of changing the law to allow legally valid belief marriages to take place in unrestricted locations. The government at the time decided that the wider legal and technical requirements of marriage ceremonies in England and Wales should be considered before, or alongside, deciding on this specific issue.<sup>25</sup>

The Law Commission conducted a review of the law in this area and found a wholesale review of law in this area was needed. In 2022 it made a number of recommendations, which would enable non-religious belief organisations to conduct legally binding marriages on an equal footing with religious organisations.<sup>26</sup>

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<sup>22</sup> [Civil Registration \(Amendment\) Act 2012](#), Sec. 3 45A

<sup>23</sup> [Civil Registration \(Amendment\) Act 2012](#), Sec. 3 45A(2)

<sup>24</sup> House of Commons Library, [Humanist marriage ceremonies in England and Wales](#) (2026)

<sup>25</sup> As cited immediately above

<sup>26</sup> As cited at footnote 24

The current Labour Government have said that legal recognition of humanist weddings should come as part of a wider, more comprehensive reform of marriage laws.<sup>27</sup>

#### 1.3.3.4 Isle of Man

Whilst not part of the United Kingdom or the Republic of Ireland, the Isle of Man is included here as it is a close, neighbouring jurisdiction. As with England and Wales, the Isle of Man allows for civil and religious marriages and civil partnerships.<sup>28</sup> A couple may choose a celebrant to conduct a blessing at a ceremony, but they would not be able to legally solemnise a marriage.<sup>29</sup>

#### 1.3.4 Consultation

The Department's consultation on changes to marriage and civil partnership ran from 15 November 2021 until 18 February 2022. It was seeking views on two separate issues:

1. A proposed legislative change that would see the inclusion in our marriage law of belief marriage (marriage solemnised by a celebrant who subscribes to a non-religious philosophy such as humanism).
2. The minimum age at which people can legally marry or enter into a civil partnership, currently 16.<sup>30</sup>

This section will deal with the responses in relation to the first of these while those in relation to minimum age will be discussed in a later section. The Department's view was that legislation was required to put belief marriage on an equal footing with religious marriage, following the judgments in the Smyth case. Therefore, the consultation dealt with the detail of that change, rather than

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<sup>27</sup> House of Commons Library, [Humanist marriage ceremonies in England and Wales](#) (2026)

<sup>28</sup> Isle of Man Government, [Arranging a marriage or civil partnership](#)

<sup>29</sup> As cited immediately above

<sup>30</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p6

whether or not it should occur.<sup>31</sup> It also asked a number of other questions including around sham marriages, fees, and independent celebrants.

Further detail of the consultation responses and the Department's analysis can be found in the Department's Consultation Results and Analysis Report.<sup>32</sup>

In relation to whether the Northern Ireland Executive should amend marriage law to include belief marriage on an equal footing with religious marriage, 70% of those who responded online were supportive. All of those who mentioned it in their written responses were also supportive. These included groups such as the Northern Ireland Human Rights Commission and the Law Society.

In relation to any qualifying criteria, a majority (71%) of online respondents thought it should be for the Registrar General (RG) to determine the suitability of a particular belief group (and their proposed officiants) to solemnise marriages, in line with the way religious groups are treated. Just over half of respondents thought that the RG should use an assessment criteria and a similar number thought that such a criteria should be similar to the more demanding definition adopted by the Irish Government. A larger majority (72%) believed that qualifying criteria should apply to both belief and religious groups. This included the responses from the Church of Ireland, Catholic Church and Presbyterian Church (the three churches that responded). The Northern Ireland Humanists supported qualifying criteria that included a membership threshold, similar to that used in the Republic of Ireland legislation.<sup>33</sup>

## 1.4 Minimum Age

Part 2 of the Bill deals with the minimum age for marriage or civil partnership. Currently an individual can marry or form a civil partnership in Northern Ireland from the age of 16. However, 16- and 17-year-olds require the relevant consent (usually parental) to do so. Unlike the area of belief marriage, where court

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<sup>31</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p6

<sup>32</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022)

<sup>33</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) pp20-21

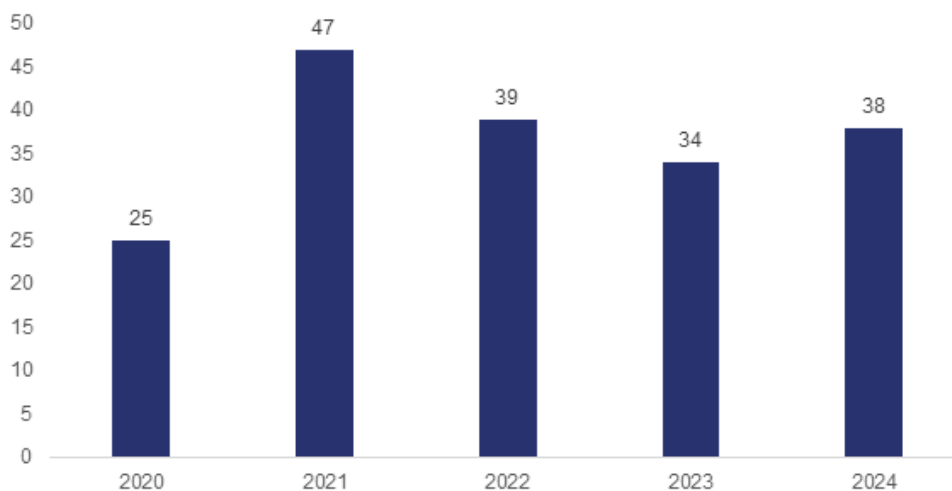
decisions have led to the Department's view that they are required to change the law, there is no similar obligation in respect of minimum age. However, there is growing pressure both internationally and domestically for this change to be made as is outlined below.

#### 1.4.1 Marriage and civil partnership involving under 18s in Northern Ireland

As referenced by the Minister for Finance during the Bill's Second Stage debate on 20 April 2026, the number of people who marry in Northern Ireland at 16 or 17 is relatively small.<sup>34</sup> There have been no civil partnerships involving anyone under 18.<sup>35</sup> Figure 2 shows the number of marriages in Northern Ireland for each year from 2020 to 2024 where at least one of the parties was 16 or 17 years old.

**Figure 2 - Annual Variation in Marriages Involving 16–17 Year Olds**

**Number of marriages where at least one partner was aged 16–17, Northern Ireland, 2020–2024**



**Source: Registrar General Annual Report via Northern Ireland Statistics and Research Agency (NISRA)**

Marriages involving at least one person aged 16 to 17 account for a very small proportion of all marriages in Northern Ireland. In 2024, these marriages

<sup>34</sup> Northern Ireland Assembly Official Report 20 April 2026 [Vol. 192, No.3](#) p16

<sup>35</sup> Correspondence between RaISe and NISRA officials, 19 May 2026

represented around 0.5% of the total, with the vast majority of marriages involving individuals aged 18 and over.<sup>36</sup>

However, as the Minister also pointed out, more girls than boys marry under 18 and, therefore, the potential adverse consequences of marriage at this age disproportionately fall on girls.<sup>37</sup> There is some further discussion on this in the following section on human rights best practice. Table 1 shows the breakdown of males and females aged 16-17 compared to the totals of those of all ages. Marriages involving at least one person aged under 18 are uncommon in Northern Ireland and fluctuate year-to-year; across 2020–2024, such marriages are more often associated with 16–17-year-old females than males.

**Table 1 - Annual counts of males and females (all ages and aged 16–17) marrying in Northern Ireland, 2020–2024**

Year	Males All Ages	Males 16-17	Females All Ages	Females 16-17	Marriages where at least one partner was under 18
2020	3714	7	3734	24	25
2021	7837	15	8005	39	47
2022	8530	9	8598	36	39
2023	7434	10	7554	33	34
2024	7206	7	7296	37	38

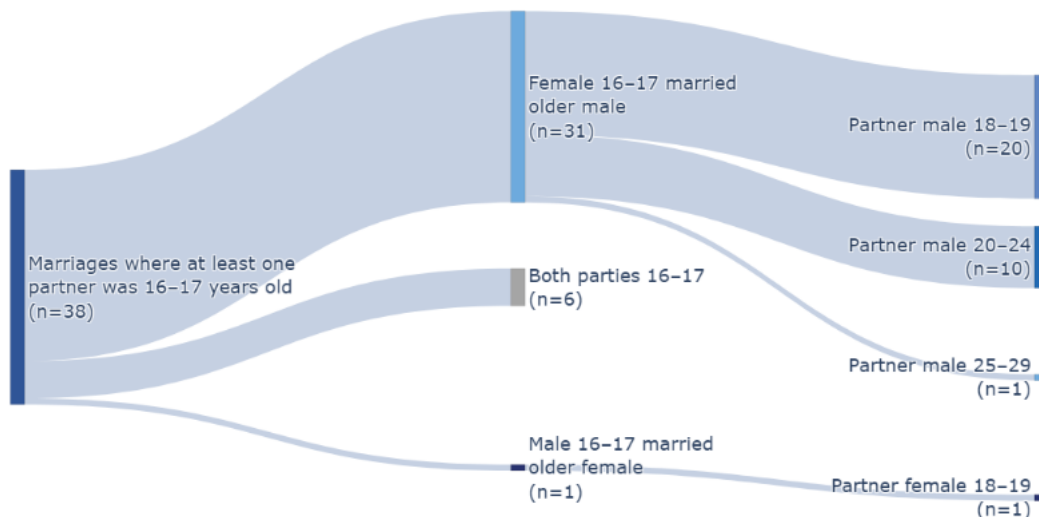
Source - Northern Ireland Statistics and Research Agency (NISRA) via email correspondence with RaiSe (26 May 2026)

<sup>36</sup> Northern Ireland Statistics and Research Agency, [Registrar General Annual Report 2024 Marriages \(2025\)](#)

<sup>37</sup> Northern Ireland Assembly Official Report 20 April 2026 [Vol. 192, No.3](#) p16

It may also be interesting to note that where the 16- or 17-year-old who gets married is female, she is more likely to marry an older male. This can be seen in figure 4 below in relation to marriages in 2024 involving at least one 16–17-year-old.

**Figure 3 - Partner age patterns in marriages involving at least one 16–17-year-old, Northern Ireland, 2024 (n=38)**



Source: Registrar General Annual Report via Northern Ireland Statistics and Research Agency (NISRA)

### 1.4.2 Human Rights best practice/International standards

The United Nations and a number of its treaty bodies have been clear in their views that the minimum age for marriage should be 18. In 2022 the UN General Assembly reaffirmed its earlier resolutions of 2014, 2016, 2018 and 2020 on child, early and forced marriage.<sup>38</sup> These called upon States to “enact, enforce and uphold” laws relating to a minimum age of marriage to ensure this was set at 18 years of age.<sup>39</sup>

<sup>38</sup> United Nations General Assembly, Seventy-Seventh Session Third Committee, [A/C.3/77/L.19/Rev.1](#) (2022) p1

<sup>39</sup> United Nations General Assembly, Seventy-Seventh Session Third Committee, [A/C.3/77/L.19/Rev.1](#) (2022) p5

The United Kingdom is a State party to the United Nations Convention on the Rights of the Child (CRC). Article 1 of the UNCRC states that, for the purposes of the Convention, “a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier.”<sup>40</sup>

Marriage of individuals under 18 is therefore viewed as child marriage.

The UN Committee on the Rights of the Child, who monitor the implementation of the UNCRC by States party to it, provide periodic reports. The concluding observations to the most recent periodic reports in June 2023 make clear that they are concerned that marriage under 18 remains legal in Northern Ireland and that therefore children who are 16 and 17 years of age do not always receive protection as children.<sup>41</sup> The CRC Committee also make clear their view that all marriages of children under 18 should be prohibited without exception.<sup>42</sup>

The United Kingdom is also a State party to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). The Treaty Body Committee which monitors this also recommends that the minimum age for marriage should be 18.<sup>43</sup> In the Committee’s recommendation, they also highlight that, according to the World Health Organisation:

“When minors, particularly girls, marry and have children, their health can be adversely affected and their education is impeded. As a result their economic autonomy is restricted.”<sup>44</sup>

This view is shared by UN Women who state that child marriage is linked to numerous adverse consequences, including reduced educational attainment;

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<sup>40</sup> United Nations, [Convention on the Rights of the Child](#), Art. 1

<sup>41</sup> United Nations Committee on the Rights of the Child, [Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland \(2023\)](#) p5

The Committee also noted that under 18 marriage is permissible Scotland, Northern Ireland, the overseas territories and the Crown dependencies of Guernsey and the Isle of Man.

<sup>42</sup> United Nations Committee on the Rights of the Child, [Concluding observations on the combined sixth and seventh periodic reports of the United Kingdom of Great Britain and Northern Ireland \(2023\)](#) p5

<sup>43</sup> United Nations Committee on the Elimination of Discrimination Against Women, [13<sup>th</sup> Session General Recommendations](#) (1994) para 36

<sup>44</sup> As cited immediately above

increased prevalence of early pregnancy and its associated sexual and reproductive health complications; restricted decision-making capacities and physical mobility; increased risk of experiencing intimate partner and domestic violence; increased prevalence of depression; and poor economic opportunities.<sup>45</sup>

Given that more 16–17-year-old females than males marry in Northern Ireland, females are more likely to be represented among those potentially exposed to the adverse consequences of child marriage identified in international evidence.

Domestically, both the Northern Ireland Human Rights Commission (NIHRC) and Northern Ireland Commissioner for Children and Young People (NICCY) have repeated these international calls for a minimum marriage age of 18 in Northern Ireland. In their response to the Department's consultation, NICCY were clear in their recommendation that legislation be brought forward to ensure the minimum age is raised to 18 for marriage and civil partnership.<sup>46</sup> Other children's groups, such as Children in Northern Ireland (CiNI) also recommended the minimum age be raised to 18 without exception.<sup>47</sup>

The NIHRC have also recommended the raising of the minimum age for marriage to 18 both in their response to the Department's consultation<sup>48</sup> and in their Annual Statement.<sup>49</sup> In their consultation response, the NIHRC also highlight that the CEDAW and CRC Committees both view child marriage as form of forced marriage.<sup>50</sup>

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<sup>45</sup> UN Women, [Legislating And Enforcing The Minimum Age Of Marriage: A Comparative Study Of Experiences And Lessons Learned In Ending The Legalization Of Child Marriage](#) (2023) p10

<sup>46</sup> Northern Ireland Commissioner for Children and Young People, [Public Consultation on Marriage Law](#) (2022)

<sup>47</sup> Children in Northern Ireland, [Response to the Department of Finance consultation on changes to Marriage Law](#) (2022) p1

<sup>48</sup> Northern Ireland Human Rights Commission, [Submission to Department of Finance consultation on Marriage Law](#) (2022) p13

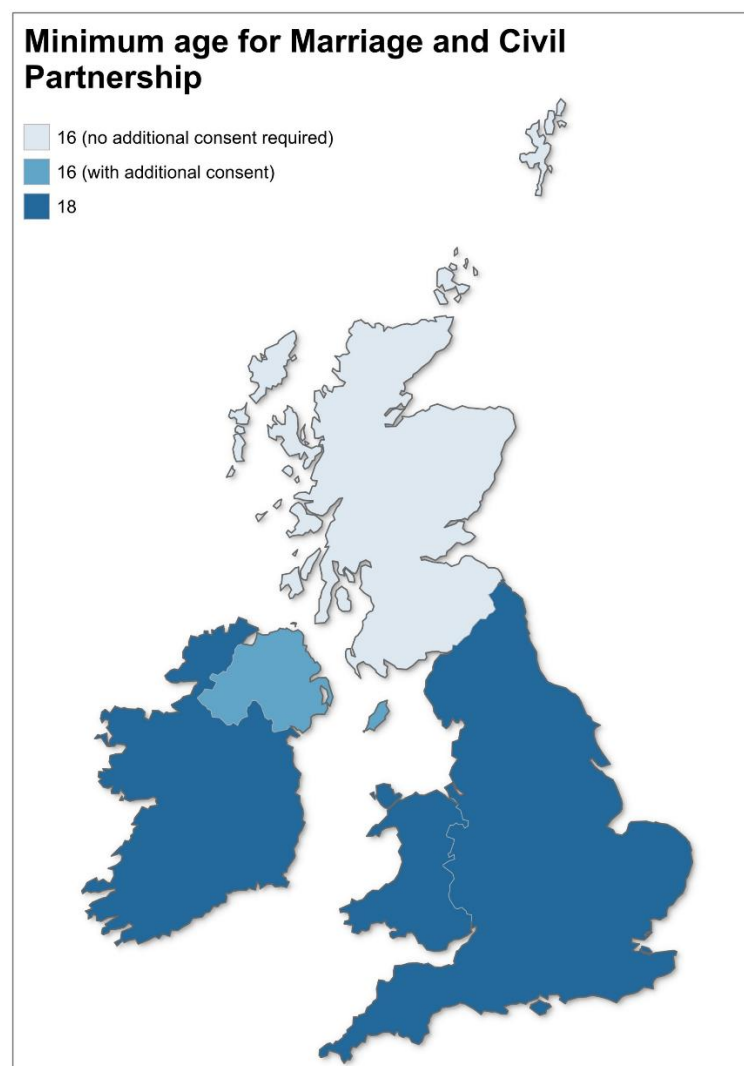
<sup>49</sup> Northern Ireland Human Rights Commission, [Annual Statement](#) (2025) p193

<sup>50</sup> As cited at footnote 48 p15

### 1.4.3 Minimum age in other jurisdictions

In England and Wales and the Republic of Ireland, the minimum age is 18 with no exceptions, whereas Northern Ireland and the Isle of Man permit marriage at 16–17 with additional (usually parental) consent. Scotland differs, allowing marriage at 16 without the need for additional consent. Should this Bill pass, it would leave Scotland as the only part of United Kingdom which allows 16- and 17-year-olds to marry or form a civil partnership.

**Figure 2 - Age requirements and consent provisions for marriage and civil partnerships by jurisdiction.**



#### 1.4.3.1 Republic of Ireland

The minimum age for marriage in the Republic of Ireland is 18. There was previously an exemption which allowed 16- and 17-year-olds to marry subject to

a court's permission. The Domestic Violence Act 2018 amended the Family Law Act 1995 by removing this exemption and thereby ensuring the minimum age of marriage in the jurisdiction in 18.<sup>51</sup>

### 1.4.3.2 England and Wales

In England and Wales, 16- and 17-year-olds were previously able to marry or enter a civil partnership where they had parental consent to do so. However, changes to the law through the Marriage and Civil Partnership (Minimum Age) Act 2022 (which came into force on 27 February 2023) mean that this is no longer possible and the legal minimum age is now 18.<sup>52</sup> The Act makes it a criminal offence to arrange a child marriage under any circumstances, with sentences, if found guilty, of up to 7 years imprisonment.<sup>53</sup>

### 1.4.3.3 Scotland

In Scotland, an individual can marry or register a civil partnership at 16 or over with no requirement for parental or judicial consent. However, a recent consultation by the Scottish Government has asked whether this should be raised to 18.<sup>54</sup> The consultation document highlights international standards, including the UNCRC. This is particularly relevant in Scotland following the passing of the [United Nations Convention on the Rights of the Child \(Incorporation\) \(Scotland\) Act 2024](#) where a number of rights and obligations from the UNCRC have been incorporated into Scots law to the maximum effective extent of the devolved competence of the Scottish Parliament.<sup>55</sup>

This consultation closed on 21 April 2026. As was highlighted previously, it will be for the incoming administration, following the May 2026 Scottish elections, to decide how or if to proceed.

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<sup>51</sup> [Domestic Violence Act](#) 2018 Sec.45(1)(d)

<sup>52</sup> UK Government, [Legal age of marriage in England and Wales rises to 18](#) (2023)

<sup>53</sup> As cited immediately above

<sup>54</sup> Scottish Government, [Family Law Consultation Part 2: The minimum age of marriage and civil partnership](#) (2025)

<sup>55</sup> As cited immediately above

#### 1.4.3.4 Isle of Man

The Isle of Man, through the Marriage Act 1984 allows for the marriage of 16- and 17-year-old with additional consents. These are usually parental consents but may also be, for example, consent of the authority in whose case the person is if there is a care order in force.<sup>56</sup> RaISe could find no proposals by the Isle of Man Government to raise the minimum age to 18.

#### 1.4.4 Consultation

The Department's consultation asked a number of questions in relation to the minimum age for marriage or civil partnership including whether the minimum age should be raised to 18 or whether it should remain at 16 with alternative or additional consent requirements for 16- and 17-year-olds. Specifically, it asked whether the approval of a court or other authoritative body should be required in addition to, or in place of, parental consent.<sup>57</sup>

The consultation ran from 15 November 2021 to 18 February 2022, and participants could respond through an online form or through a written submission. There were 78 responses in total, 61 online responses and 17 written responses. One organisation, NI Humanists, submitted both a written and online response.<sup>58</sup>

As outlined in the Department's consultation report, support for increasing the minimum age to 18 was "unmistakable".<sup>59</sup> In fact, 95% of online respondents to the consultation were supportive of this.<sup>60</sup> Whilst there was some support for alternative or additional forms of consent for 16 and 17 year olds, several online responses and most written responses opposed marriage or civil partnership below 18 with no exemptions.<sup>61</sup>

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<sup>56</sup> [Marriage Act](#) 1984 Sec. 3

<sup>57</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) p18

<sup>58</sup> As cited at footnote 57 p7

<sup>59</sup> As cited at footnote 57 p24

<sup>60</sup> As cited at footnote 57 p11

<sup>61</sup> As cited at footnote 57 p18

The Church of Ireland, in its online response, stated that marriage under 18 was child marriage and the Catholic Bishops/Catholic Commission on Social Affairs also responded in similar terms.<sup>62</sup> The Presbyterian Church in Ireland had concerns that an increase in the minimum age would mean it would now be higher than the age of consent and that in view of this, the minimum age should remain as it is now with certain safeguards in place.<sup>63</sup>

As part of their response, NICCY engaged with their Youth Panel who also expressed their concerns that “children up to age of 18 should be afforded full protection in this area and that this obligation was not diminished by different thresholds for consent in other areas of a young person’s life which are noted by the Department, including the age of consent to sex which is 16 years. As the Committee on the Rights of the Child has specifically highlighted in regard to adolescence, as children rightly have increasing agency as they grow older their “right to exercise increasing levels of responsibilities does not obviate the State’s obligation to guarantee protection” to them as they move into teenage years and towards adulthood.”<sup>64</sup>

The Youth Assembly’s Rights and Equality Committee unanimously supported an increase in the minimum age, noting that in their view it was irrelevant that 16- and 17-year-olds could make other important decisions, for example around employment, noting that it is easier to leave a job than a marriage.<sup>65</sup>

Of note in the report is also that several respondents highlighted that marriage at 16 and 17 years old was more common in the Traveller Community and that Traveller traditions should be considered. The Department notes that the only response received from a body representing the Traveller Community, the Craigavon Travellers’ Support Committee, was supportive of increasing the age of 18.<sup>66</sup>

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<sup>62</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) p11

<sup>63</sup> As cited immediately above

<sup>64</sup> United Nations Committee on the Rights of the Child, [General Comment 20: On the implementation of the rights of the child during adolescence](#) (2016) para 19

<sup>65</sup> As cited at footnote 62 p11

<sup>66</sup> As cited at footnote 62 p12

## 2 Part 1 – Belief Marriage

This section of the bill paper will give an overview of the clauses within the Bill as well as highlighting some relevant areas of note raised in the consultation, in other jurisdictions or elsewhere. Clauses 1 to 4 deal with proposals to put belief marriage on an equal footing with religious marriage. They are detailed below.

### 2.1 Belief bodies: registration of members to solemnise marriage

Currently, for religious bodies, the body itself and any member it nominates must be approved by the Registrar General for the purpose of solemnising marriage. As laid out in the consultation report, provided that the Registrar General is satisfied that the group is genuine and that the proposed officiant or officiants are appropriate people to conduct marriage ceremonies, the group will be authorised to carry out marriage ceremonies.<sup>67</sup> In response to the consultation, 71% of online respondents thought that this arrangement should be extended to belief groups.<sup>68</sup> The proposals in the Bill do this.

Clause 1 amends Articles 10, 11 and 13 of the 2003 Order in several places by, in the main, inserting “or belief” after “religious”. These Articles concern a religious body applying to the Registrar General for a member to be registered to solemnise marriages in Northern Ireland, the registration itself and any appeal where the Registrar General has refused an application to register a person. The effect is that in these specific regards, belief bodies will be on an equal footing to religious bodies.

Clause 1(2)(d) would insert new provision Article 10(2)(aa) of the 2003 Order which would allow the Registrar General to refuse to register a member of a religious or belief body if “the body making the application does not meet such qualifying requirements as may be prescribed”. This would mean that the Department could specify requirements that a religious and belief body would have to meet in order for a member to be granted authorisation to solemnise marriage(s). As per the EFM it would allow the Department to bring forward

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<sup>67</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) p12

<sup>68</sup> As cited immediately above

these additional qualifying requirements “should those prove to be necessary in future”.

In the Second Stage debate, the Minister mentioned such potential regulations. He noted that NI Humanists had outlined their concerns about the operation of the system and that he believed the statutory framework should be agile “if the evidence shows that practices are getting out of hand.”<sup>69</sup>

Clause 4(9)(a) states that regulations made under this proposed Article 10(2)(aa) would need to be laid before, and approved by, the Assembly.

**Members may wish to ask the Department:**

- **under what circumstances such requirements might be necessary;**
- **whether they have considered what qualifying requirements may be relevant.**

## 2.2 Belief bodies: temporary authorisation to solemnise marriage

Clause 2 amends Article 14 of the 2003 Order which deals with the temporary authorisation of a member of a religious body to solemnise a wedding. It would insert “or belief” to ensure that members of both religious and belief bodies could be given this temporary authorisation.

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<sup>69</sup> Northern Ireland Assembly Official Report 20 April 2026 [Vol. 192, No.3](#) p18

Clause 2(4) would add an additional provision 1ZA. Under this:

“The Registrar General must not grant an authorisation to a person under paragraph (1) if the Register General considers that the religious or belief body of which the person is a member does not meet such qualifying requirements as may be prescribed.”<sup>70</sup>

In line with Clause 1(2)(d) discussed above, this would mean that the Department could specify requirements that a religious and belief body would have to meet in order for a member to be granted temporary authorisation to solemnise marriage(s).

Clause 4(9)(a) states that regulations made under this proposed Article 14(1ZA) would need to be laid before, and approved by, the Assembly.

## 2.3 Belief marriage: definitions

Clause 3 amends Articles 2 and 9A of the 2003 Order. Article 2 deals with the interpretation of the Order and clause 3(2) of the Bill would add belief bodies to the definition of “governing authority”. It would also amend the definition of “religious body” by substituting this with a definition of “religious or belief body” which it proposes would be an organised group of people who meets regularly for common religious worship or where their principle object (or one of their principle objects) “is to uphold or promote philosophical beliefs”.

This definition mirrors the definition used in the Scottish legislation noted at [section 1.3.3.1](#). The Department’s consultation specifically asked about whether there should be a definition of some kind and how this should look. The consultation report states that a majority (72%) thought that any definition should cover both religious and belief bodies.<sup>71</sup> It further states that 53% of online respondents were in favour of a qualifying criteria of some kind with 52%

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<sup>70</sup> [Marriage and Civil Partnership Bill](#) (as introduced, 2026) p2

<sup>71</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) pp13-14

believing that such a definition should be specific, similar to that in the Republic of Ireland legislation discussed at [section 1.3.3.2](#). Around two fifths of respondents preferred the Scottish definition.<sup>72</sup>

In relation to responses from religious and belief bodies themselves, all three Churches that responded (Church of Ireland, Presbyterian and Catholic churches) favoured a qualifying criteria but the latter two churches suggested any be applied only to newly established religious bodies.<sup>73</sup> NI Humanists stated that they favoured the stricter qualifying criteria used in the Republic of Ireland legislation, rather than that used in Scotland.<sup>74</sup>

The consultation asked whether respondents consider that belief marriage offers a greater opportunity to the organisers of illegal sham marriages as religious or civil marriage and whether there are adequate controls in place to prevent sham marriages. Most of the online respondents (68%) thought that there was no greater risk of sham marriage through belief marriage than religious.<sup>75</sup>

Some responders believed that belief marriage could lead to a greater risk of sham marriage. The Family Education Trust (FET), for example, in their consultation response noted that changes to the law in this area should be treated with caution.<sup>76</sup>

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<sup>72</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) p13

<sup>73</sup> As cited at footnote 72 p14

<sup>74</sup> As cited at footnote 72 p14

<sup>75</sup> As cited at footnote 72 p33

<sup>76</sup> As cited at footnote 72 p64

**Members may wish to consider if the Bill appropriately balances flexibility to accommodate different belief groups and legal certainty outlining clear rules for recognition.**

**Members may wish to ask the Department how the proposed framework differs from the current temporary arrangements following the *Smyth* case.**

**Members may wish to ask the Department whether they are satisfied that the definition included in the Bill will help to safeguard against sham marriage.**

## 2.4 Belief marriage: further provision

Clause 4 would amend the 2003 Order in a number of areas to put belief and religious marriage on an equal footing. The areas of the 2003 Order that this clause would amend are:

- Article 6 in relation to objections (for example if there's a legal impediment to marriage);
- Article 7 in relation to a marriage schedule;
- Article 7A in relation to false information or evidence;
- Article 15 in relation to the solemnisation of religious marriage;
- Article 16 in relation to the registration of religious marriage; and,
- Article 17A in relation to the protection from compulsion for performing same sex marriages. This clause would also substitute the definition of "religious premises" with a definition for "religious or belief premises".

Clause 4(9) has already been discussed above in relation to potential regulation making powers.

## 2.5 Independent Celebrants

Independent celebrants provide wedding ceremonies that are just that, purely ceremonial. They are not legally valid marriages. These are typically run as

businesses for profit or gain.<sup>77</sup> The consultation asked whether the law should be changed to allow these independent celebrants to offer legally binding ceremonies, whether religious and belief groups should also be allowed to offer marriage ceremonies for profit and what risks there might be with this.<sup>78</sup>

Under article 12(1)(d)(ii) of the 2003 Order, marriages cannot be solemnised for profit or gain and anybody found to be doing so can have their officiant status removed.<sup>79</sup> Religious organisations can set a fee but these are intended to cover reasonable costs and many in practices do not charge a fee but may accept a donation.<sup>80</sup>

In response to the consultation, 60% of online respondents were in favour of allowing independent celebrants to provide legally binding marriages for a profit whilst, at the same time, 54% believed marriage being provided for profit should continue to be prohibited.<sup>81</sup>

In response to the issue being raised at Second Stage, the Minister noted that whilst he wasn't necessarily against the idea, such a change would require further consideration, particularly around the prohibition in the 2003 Order around profit/gain. He noted there could be unintended consequences from this and that there were mixed responses to the consultation on this issue.<sup>82</sup>

## 2.6 Equality Screening

The Section 75 equality screening undertaken by the Department in November 2022 found that no Equality Impact Assessment (EQIA) was necessary. It noted that for eight of the nine Section 75 categories there was no impact, with the only category impacted being sexual orientation. For this category the screening

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<sup>77</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p37

<sup>78</sup> As cited immediately above

<sup>79</sup> [The Marriage \(Northern Ireland\) Order](#) 2003 Art. 12

<sup>80</sup> Department of Finance, [Belief Marriage and Minimum Age for Marriage or Civil Partnership - a public consultation](#) (2021) p12

<sup>81</sup> Department of Finance, [Marriage Law Consultation Report and Analysis](#) (2022) p15

<sup>82</sup> Northern Ireland Assembly Official Report 20 April 2026 [Vol. 192, No.3](#) p50

noted the impact would be minor and positive due to same sex couples being disproportionately reliant on civil marriages given few religious groups permit same sex marriage. Civil ceremonies are more limited in relation to venue and content. There would not be the same limitations on belief marriage which would allow same sex couples who chose a belief marriage more choice.<sup>83</sup>

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<sup>83</sup> Department of Finance Equality Screening Document on Belief Marriage sent from Department officials to RaISe, 15 May 2026

### 3 Part 2 – Minimum Age for Marriage or Civil Partnership

Clauses 5 to 10 of the Bill relate to raising the minimum age for marriage and civil partnership. Further information is contained in the sections below.

#### 3.1 Raising of minimum age for marriage

Clause 5(1)(a) would remove the definition of “young person” in Article 2 of the 2003 Order. This definition currently states that a young person means a person who is over the age of 16 but under the age of 18.

Clause 5(1)(b) would amend Article 6(6)(c) of the 2003 Order in relation to objections to marriage, specifically legal impediments to marriage, by changing the minimum age of the parties involved to 18.

Clause 5(1)(c) would remove Articles 22 to 24 of the 2003 Order as these deal specifically with the marriage of persons under 18. Clause 5(1)(d) follows and omits Article 22 from article 38 of the Order which deals with offences.

Clause 5(2) would amend the Age of Marriage Act (Northern Ireland) 1951. This Act voids marriages between persons either of whom is under 16. The proposed clause would amend this Act so that future marriages would be void if either person is under 18.

#### 3.2 Offence of conduct relating to marriage of persons under 18

Clause 6 would amend Section 16 of the [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015](#) (‘the 2015 Act’) which deals with the offence of forced marriage, making it an offence to undertake conduct for the purpose of causing a child to marry before they turn 18.

Clause 6(2) would insert new subsection (1A) as follows:

“(1A) A person commits an offence if he or she carries out any conduct for the purpose of causing a child to enter into a marriage before the child's eighteenth birthday (whether or not the conduct amounts to violence, threats, any other form of coercion or deception, and whether or not it is carried out in Northern Ireland).”

This new offence would **not** be limited to those situations which involve violence, threats or other forms of coercion or deception. It would apply whether or not such conduct is committed in Northern Ireland.<sup>84</sup>

Clause 6(4) would insert a new subsection (6A) which makes clear such an offence would be committed if the purpose is to cause a child to marry:

- in Northern Ireland;
- where the person or child is habitually resident in Northern Ireland; or,
- conduct which occurs when the child is a UK national who has been habitually resident in Northern Ireland and is not habitually resident or domiciled in Scotland.

Under the 2015 Act, if found guilty of the offence of forced marriage a person guilty section is liable -

- a) on summary conviction, to imprisonment for a term not exceeding 6 months or to a fine not exceeding the statutory maximum, or both;
- b) on conviction on indictment, to imprisonment for a term not exceeding 7 years.<sup>85</sup>

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<sup>84</sup> Marriage and Civil Partnership Bill, [Explanatory and Financial Memorandum](#) (2026) p5

<sup>85</sup> [Human Trafficking and Exploitation \(Criminal Justice and Support for Victims\) Act \(Northern Ireland\) 2015 Sec.16\(7\)](#)

This offence is similar in nature that that created in England and Wales in the Marriage and Civil Partnership (Minimum Age) Act 2022 in that an offence can be committed whether or not coercion or deception is involved.<sup>86</sup>

**Members may wish to ask the Department:**

- **whether they have consulted with the Department of Justice on this proposed offence;**
- **what planning they have done or will do in relation to the implementation of the proposed offence.**

### 3.3 Raising of minimum age for civil partnership

Clause 7(2) would amend the 2004 Act in relation to eligibility for a civil partnership, changing the minimum age from 16 to 18. Clause 7(3) would remove section 145 of the 2004 Act which deals with parental consent where a proposed civil partner is under 18 so that this would no longer be possible.

### 3.4 Civil partnerships registered outside Northern Ireland

Clause 8 also amends the 2004 Act. Clause 8(2) would add a further provision in relation to voiding a civil partnership. This would void a civil partnership registered in Scotland if either party was domiciled in Northern Ireland and either party was under 18. This would mean that someone aged 16 or 17 and living in Northern Ireland could not go to Scotland in order to form a civil partnership and then return.

Clause 8(3) amends section 217 of the 2004 Act in relation to person domiciled in a part of the United Kingdom. Specifically, it would amend section 217(6) in relation to relationships which are treated as civil partnerships on the basis of being registered overseas (under the relevant law). This amendment would mean that if at the point it was registered overseas a person was domiciled in

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<sup>86</sup> [Marriage and Civil Partnership \(Minimum Age\) Act 2022 Sec.2\(2\)](#)

Northern Ireland and either of those persons in the relationship was under 18 (amended from 16), it would not be treated as a civil partnership.

### 3.5 Supplementary Provisions

Clause 9 lays out that the minor and consequential amendments in connection with this Part of the Bill are in part 2 of the Schedule. These will be outlined later in the paper.

Clause 10 is a lengthy clause which sets out that marriages and civil partnerships which are, respectively, solemnised or registered before the date that this Part of the comes into operation are still valid.

It also makes clear that where the relevant notices and consents for a marriage or civil partnership (required under the 2003 Order) have been given or produced before the date that the relevant Parts of the Bill come into operation, these will continue to be valid. This means that in these circumstances marriages and civil partnerships can be, respectively, solemnised or registered after the date of operation even where one of the persons is 16 or 17.

### 3.6 Equality Screening

As with the policy on belief marriage, the Department undertook a Section 75 screening in relation to changing the minimum age to 18. It notes that there are likely to be minor impacts on five of the Section 75 categories, one of which would be a positive impact. These categories that are likely impacted would be:

- Religious belief – Whilst some religious groups are content (as previously highlighted) others are unhappy that the minimum age for marriage would be higher than the age of consent.
- Political opinion – Some may oppose raising the minimum age on conservative/traditionalist grounds, for example concerns that the minimum age for marriage would be higher than the age of consent.
- Racial group – The Department notes there is anecdotal evidence that marriage by 16- and 17-year-olds is more common within the Traveller Community. However, it highlights, as mentioned previously, that the

only Traveller Community representative group which responded to the consultation was supportive of the change.

- Age – The very small number of people wanting to marry or form a civil partnership at 16 and 17 would be impacted as they would not be able to do so but would only need to wait 1-2 years.
- Men and women generally – Here, the Department notes a potentially positive impact as girls are more likely than boys to marry at 16 or 17.<sup>87</sup>

### 3.7 Human Rights Impacts

The Department have completed a Human Rights Impact Assessment (HRIA) in regards raising the minimum age of marriage and civil partnership to 18. The HRIA considers whether the proposals engage any rights contained in the European Convention of Human Rights (ECHR) also known as Convention rights. The HRIA states that the policy would engage Article 12, the right to marry and found a family and Protocol 1, Article 2, the right to education.<sup>88</sup>

It states that the impact on Article 12 is that those people wishing to marry at 16 or 17 will no longer be able to do so but that this should be contextualised given the small number and that they would need to wait, at most, 2 years to be able to marry. It also notes that given the limited number of individuals affected and that any delay to their marriage would be relatively minimal, a limitation on Article 12 would be proportionate. It also highlights, as this paper has, that international human rights best practice is that marriage under 18 should be prohibited.<sup>89</sup>

As with the equality screening, the HRIA notes that those in the Traveller Community may be particularly affected but again highlights the consultation response from the Craigavon Traveller Support Committee (CTSC) which was supportive of raising the minimum age to 18. It further notes that The Registrar

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<sup>87</sup> Department of Finance Equality Screening Document on Minimum Age sent via email from Department officials to RaISe, 15 May 2026

<sup>88</sup> As above at footnote 87

<sup>89</sup> Department of Finance, Human Right Impact Assessment Proforma, sent via email to from Department Officials to RaISe, 15 May 2026

General/an tArd-Chláraitheoir had advised the Irish Government that it had also received similar feedback from Traveller groups when it consulted on raising the minimum age to 18 in the Republic of Ireland.<sup>90</sup>

In relation to Protocol 1, Article 2, the HRIA found that there would be no interference or limitation on this right as the policy may potentially improve educational opportunities available to 16- and 17-year-olds, particularly girls.<sup>91</sup>

The Assembly's Legal Services Office has completed a Convention Rights Memorandum (CRM) on the Bill. Whilst not legal advice, this provides Members with further information in relation to human rights considerations around the Bill.

**Members should consider the CRM alongside this paper and assure themselves that they are content with any human rights implications of the Bill's proposals.**

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<sup>90</sup> As above at footnote 89

<sup>91</sup> Department of Finance, Human Right Impact Assessment Proforma, sent via email to from Department Officials to RaISe, 15 May 2026

## 4 Part 3 – Final Provisions

Clause 11 defines that “the 2003 Order” and “the 2004 Act” mean the Marriage (Northern Ireland) Order 2003 and the Civil Partnership Act 2004, respectively.

Clause 12 would allow the Department to make consequential provisions in relation to the Bill. It would allow such regulations to amend, repeal or otherwise modify **any** statutory provision (whenever passed or made) and the power to make incidental, supplementary, transitional, transitory or saving provision.<sup>92</sup>

Clause 12(4) states that:

“Regulations under this section which amend, repeal or otherwise modify a provision of Northern Ireland legislation or an Act of Parliament may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Assembly.”

Any other regulations, such as incidental or supplementary are subject to negative resolution.

**Members may wish to note these regulation making powers proposed in the Bill and assure themselves that these are reasonable.**

Clause 13 provides for the short title of the Bill and sets out the commencement arrangements. These arrangements are that sections 12 and 13 would come into operation the day after the day on which the Bill receives Royal Assent. The other provisions in the Bill would come into operation at the end of a two-month period which starts on the day it receives Royal Assent.

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<sup>92</sup> Emphasis added

## 5 Schedule

As noted in the EFM, the Schedule contains minor and consequential amendments. Part 1 of the Schedule relates to belief marriage and Part 2 to the minimum age for marriage and civil partnership. The legislation amended by the Schedule is, under Part 1:

- The Marriage Regulations (Northern Ireland) 2003;
- Civil Partnership Regulations (Northern Ireland) 2005;
- Forced Marriage (Civil Protection) Act 2007;
- Human Trafficking and Exploitation (Criminal Justice and Support for Victims) (Northern Ireland) 2015; and,
- The Sham Marriage and Civil Partnership (Scotland and Northern Ireland) (Administrative) Regulations 2015

The legislation amended by Part 2 of the schedule is:

- Matrimonial Causes (Northern Ireland) Order 1978;
- Perjury (Northern Ireland) Order 1979;
- Children (Northern Ireland) Order 1995;
- Marriage Regulations (Northern Ireland) 2003;
- Civil Partnership Act 2004;
- Civil Partnership Regulations (Northern Ireland) 2005; and,
- Adoption and Children Act (Northern Ireland) 2022