

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5243 GIBRALTAR Thursday 17th July 2025

B. 15/25

MARRIAGE AND CIVIL PARTNERSHIP (MINIMUM AGE) BILL 2025

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THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5243 GIBRALTAR Thursday 16th July 2025

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BILL

FOR

AN ACT to increase the minimum age of persons seeking to marry or enter into a civil partnership; and for connected purposes.

ENACTED by the Legislature of Gibraltar.

Short title.

1. This Act may be cited as the Marriage and Civil Partnership (Minimum Age) Act 2025.

Commencement.

2. This Act comes into operation on the day of publication.

Marriage

Marriage Act.

3.(1) The Marriage Act is amended in accordance with the provisions in this section.

(2) Immediately preceding section 15, for the heading “Marriage of Minors” substitute “Prohibition of marriage under 18”.

(3) In section 15-

- (a) in the section heading for “16” substitute “18”;
- (b) in subsection (1) for “16” substitute “18”;
- (c) subsection (2) is repealed.

(4) Sections 16 and 17 are repealed.

(5) In section 18 omit “whose consent to a marriage is required by this Act, or”.

(6) In section 29-

- (a) in the section heading omit “or of consent”;
 - (b) in body of the section omit “nor of the consent of any person whose consent thereunto is required by law,”.
- (7) In Schedule 2 omit paragraph 5.
- (8) Schedule 3 is repealed.

Civil Partnership

Civil Partnership Act.

4.(1) The Civil Partnership Act 2014 is amended in accordance with the provisions in this section.

(2) In the heading immediately preceding section 5 for “Formation, eligibility and parental etc. consent” substitute “Formation and eligibility, etc.”.

(3) In section 6(1)(b) for “16” substitute “18”.

(4) Section 7 is repealed.

(5) In section 11(3)-

- (a) in paragraph (d) for “;” substitute “.”;
- (b) omit paragraph (e).

(6) In section 12(2)(a) for “(a) to (e)” substitute “(a) to (d)”.

(7) In section 13(1) delete “whose consent to a civil partnership is required by this Act, or”.

(8) In section 14(1)-

- (a) after paragraph (a) insert “or”;
- (b) in paragraph (b) for “;or” substitute “,”;
- (c) omit paragraph (c).

(9) In section 22(2)(b) for “16” substitute “18”.

(10) In section 30-

- (a) in paragraph (b)(iv) for “; or” substitute “.”;
- (b) omit paragraph (c).

(11) In section 33-

- (a) in subsection (1) omit paragraph (a);
- (b) omit subsection (2).

(12) In section 89(1)-

- (a) at the end of paragraph (b) insert “or”;
- (b) omit paragraph (c).

(13) In section 97(2)(a) for “16” substitute “18”.

(14) Omit Schedule 2.

Consequential amendments

Matrimonial Causes Act.

5. In section 5A of the Matrimonial Causes Act omit “or marries under that age”.

Savings

Savings.

6.(1) An amendment made by a provision of this Act does not affect the validity of-

- (a) any marriage solemnised; or
- (b) any civil partnership registered,

before the day on which that provision came into operation.

(2) The amendment made by section 5(12) does not affect the treatment as a civil partnership of an overseas relationship that is registered in Gibraltar as having been entered into before that provision comes into force.

(3) In subsection (2)-

“overseas relationship” has the meaning given in section 93(1) of the Civil Partnership Act 2014;

“the relevant law” has the meaning given in section 93(2) of the Civil Partnership Act 2014.

Miscellaneous

Regulations.

7. The Government may by regulations amend any Act or subordinate legislation for the purposes of giving effect to this Act.

EXPLANATORY MEMORANDUM

This Bill provides for the increase in the age at which persons may marry or enter into civil partnerships from 16 years of age to 18.

The Bill does not affect the marriage or civil partnerships that were legally entered into prior to the entry into operation of the Act.