

Status: Point in time view as at 10/12/2014.

Changes to legislation: There are currently no known outstanding effects for the Gender Recognition Act 2004, Part 1. (See end of Document for details)

SCHEDULES

SCHEDULE 4

EFFECT ON MARRIAGE

PART 1

ENGLAND AND WALES

Marriage Act 1949 (c. 76)

1 The Marriage Act 1949 is amended as follows.

2 F1

Textual Amendments

F1 Sch. 4 para. 2 repealed (5.12.2005) by Civil Partnership Act 2004 (c. 33), ss. 261(4), 263, Sch. 30; S.I. 2005/3175, art. 2(1), Sch. 1

3 After section 5A insert—

“5B Marriages involving person of acquired gender

(1) A clergyman is not obliged to solemnise the marriage of a person if the clergyman reasonably believes that the person’s gender has become the acquired gender under the Gender Recognition Act 2004.

(2) A clerk in Holy Orders of the Church in Wales is not obliged to permit the marriage of a person to be solemnised in the church or chapel of which the clerk is the minister if the clerk reasonably believes that the person’s gender has become the acquired gender under that Act.”

Matrimonial Causes Act 1973 (c. 18)

4 The Matrimonial Causes Act 1973 is amended as follows.

5 In section 12 (grounds on which a marriage celebrated after 31st July 1971 is voidable), insert at the end—

“(h) that the respondent is a person whose gender at the time of the marriage had become the acquired gender under the Gender Recognition Act 2004.”

6 In section 13(2), (3) and (4) (bars to relief), for “or (f)” substitute “, (f) or (h) ”.

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