

---

*Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Paragraph 1. (See end of Document for details)*

---

## SCHEDULES

### SCHEDULE 6

#### MARRIAGE OVERSEAS

##### PART 1

###### CONSULAR MARRIAGE UNDER UK LAW

###### *Provision for consular marriage*

- 1 (1) Her Majesty may by Order in Council make provision for two people to marry each other—
- (a) in prescribed countries or territories outside the United Kingdom, and
  - (b) in the presence of a registration officer,
- in cases where the officer is satisfied that the conditions in sub-paragraph (2) are met.
- (2) The conditions are that—
- (a) at least one of the people proposing to marry is a United Kingdom national,
  - (b) the people proposing to marry would have been eligible to marry each other in such part of the United Kingdom as is determined in accordance with the Order,
  - (c) the authorities of the country or territory in which it is proposed that they marry will not object to the marriage, and
  - (d) insufficient facilities exist for them to enter into a marriage under the law of that country or territory.
- [<sup>F1</sup>(3) For the purposes of sub-paragraph (2)(b), two people who are in a qualifying civil partnership with each other are to be treated as not having been eligible to marry each other in Scotland.
- (4) In sub-paragraph (3) “qualifying civil partnership” has the meaning given by section 5(6) of the Marriage (Scotland) Act 1977.]

#### Textual Amendments

- F1** Sch. 6 para. 1(3)(4) inserted (27.1.2022) by [The Civil Partnership \(Scotland\) Act 2020 and Marriage and Civil Partnership \(Scotland\) Act 2014 \(Consequential Modifications\) Order 2022 \(S.I. 2022/74\)](#), art. 1, [Sch. 1 para. 4\(2\)](#)

#### Commencement Information

- I1** Sch. 6 para. 1 in force at 21.1.2014 for specified purposes by [S.I. 2014/93](#), [art. 2\(b\)\(i\)](#)
- I2** Sch. 6 para. 1 in force at 3.6.2014 in so far as not already in force by [S.I. 2014/93](#), [art. 5\(c\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Paragraph 1.