



Marriage Act 1949

CHAPTER 76

MARRIAGE ACT 1949

PART I

RESTRICTIONS ON MARRIAGE

- 1 Marriages within prohibited degrees.
- 2 Marriages of persons under eighteen.
- 3 Marriages of persons under twenty-one.
- 4 Hours for solemnization of marriages.

PART II

MARRIAGE ACCORDING TO RITES OF THE CHURCH OF ENGLAND

Preliminary

- 5 Methods of authorising marriages.
- 5A Marriages between certain persons related by affinity.
- 5B Marriages involving person of acquired gender

Marriage by banns

- 6 Place of publication of banns.
- 7 Time and manner of publication of banns.
- 8 Notice to clergyman before publication of banns.
- 9 Persons by whom banns may be published.
- 10 Publication of banns commenced in one church and completed in another.
- 11 Certificates of publication of banns.
- 12 Solemnization of marriage after publication of banns.

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949. (See end of Document for details)

- 13 Publication of banns in Scotland, Northern Ireland or Republic of Ireland.
- 14 Publication of banns on board His Majesty's ships.

Marriage by Common Licence

- 15 Places in which marriages may be solemnized by common licence.
- 16 Provisions as to common licences.

Marriage under marriage schedule

- 17 Marriage under marriage schedule.

Publication of banns and solemnization of marriages during disuse of churches

- 18 Publication of banns and solemnization of marriages during repair and rebuilding of churches.
- 19 Publication of banns and solemnization of marriage where church injured by war damage.

Licensing of chapels for publication of banns and solemnization of marriages

- 20 Licensing of chapels for publication of banns and solemnization of marriages for persons residing in specified district.
- 21 Authorising of publication of banns and solemnization of marriages in churches and chapels of extra-parochial places.

Issue of marriage document after publication of banns or the grant of a special or common licence

- 21A Issue of marriage document after publication of banns or the grant of a special or common licence

Miscellaneous Provisions

- 22 Witnesses.
- 23 Benefices held in plurality.
- 24 Proof of residence not necessary to validity of marriage by banns or common licence.
- 25 Void marriages.

PART III

MARRIAGE UNDER MARRIAGE SCHEDULE

Issue of a marriage schedule

- 26 Marriage of a man and a woman; marriage of same sex couples for which no opt-in necessary
- 26A Opt-in to marriage of same sex couples: places of worship
- 26B Opt-in to marriage of same sex couples: other religious ceremonies
- 27 Notice of marriage.
- 27ZA Circumstances in which a notice of marriage is not to be recorded in the marriage register
- 27A Additional information required in certain cases.
- 27B Provisions relating to section 1(3) marriages.
- 27C Provisions relating to section 1(5) marriages.

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949. (See end of Document for details)

- 27D Additional information required for certain marriages of same sex couples
- 27E Additional information if party not relevant national
- 28 Declaration to accompany notice of marriage.
- 28A Power to require evidence of consent to marriages of same sex couples
- 28B Provision of evidence
- 28C Additional evidence if party not relevant national
- 28D Change of usual address or UK contact address
- 28E Rejection of false information or evidence
- 28F Amendment of notice and evidence provisions
- 28G Specified evidence
- 28H Referral of proposed marriage to Secretary of State
- 29 Caveat against issue of marriage schedule.
- 30 Forbidding of issue of marriage schedule.
- 31 Marriage under marriage schedule.
- 31ZA Notice of marriage: false information or evidence
- 31A Appeal on refusal under section 31(2)(a) or 31ZA.
- 32 Marriage under certificate by licence.
- 33 Period of validity of marriage schedule.
- 34 Marriages normally to be solemnized in registration district in which one party resides.
- 35 Marriages in registration district in which neither party resides.
- 36 Superintendent registrar to issue licences only for marriages to be solemnized in his registration district.
- 37 One party resident in Scotland.
- 38 One party resident in Northern Ireland.
- 39 Issue of certificates on board His Majesty's ships.
- 39A Marriage of former civil partners one of whom has changed sex
- 40 Forms of certificates to be furnished by Registrar General.

Marriages in registered buildings

- 41 Registration of buildings : marriage of a man and a woman.
- 42 Cancellation of registration under section 41: building no longer used
- 43 Buildings registered under section 41: appointment of authorised persons
- 43A Registration of buildings: marriage of same sex couples
- 43B Buildings registered under section 43A: appointment of authorised persons
- 43C Cancellation of registration under section 43A
- 43D Regulations about sections 41 and 43 and 43A to 43C
- 44 Solemnization of marriage in registered building.

Registration of shared buildings for marriage of same sex couples

- 44A Building subject to Sharing of Church Buildings Act 1969: registration
- 44B Building subject to Sharing of Church Buildings Act 1969: cancellation
- 44C Other shared places of worship: registration and cancellation
- 44D Sections 44A to 44C: supplementary provision

Marriages in register offices

- 45 Solemnization of marriage in register office.
- 45A Solemnization of certain marriages.

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949. (See end of Document for details)

- 46 Register office marriage followed by religious ceremony.

Marriages on approved premises

- 46A Approval of premises.
46B Solemnization of marriage on approved premises.

Marriages according to usages of Society of Friends

- 47 Marriages according to usages of Society of Friends.

Miscellaneous Provisions

- 48 Proof of certain matters not necessary to validity of marriages.
49 Void marriages.
49A Void marriages: additional provision about same sex couples
50 Person to whom marriage schedule to be delivered.
51 Fees of superintendent registrars for attending marriages in approved premises
52 Provision for marriages in Welsh language.

PART IV

REGISTRATION OF MARRIAGES

- 53 Persons by whom marriages are to be registered.
53A Register of marriages
53B Signing of a marriage document
53C Signing of a marriage schedule
53D Registration of marriage
53E Registration of marriage where documentation lost or destroyed
54 Provision of marriage register books by Registrar General.
55 Manner of registration of marriages.
56 Power to ask for particulars of marriage.
57 Quarterly returns to be made to superintendent registrar.
58 Quarterly returns to be made by superintendent registrar to Registrar General.
59 Custody of register books.
60 Filled register books.
61 Correction of errors in register book.
62 Disposal of register books on church ceasing to be used for solemnization of marriages.
63 Searches in register books.
64 Searches of indexes kept by superintendent registrars.
65 Searches of indexes kept by Registrar General.
65A Searches and records of information: additional provision
66 Sending documents by post.
67 Interpretation of Part IV.

PART V

MARRIAGES IN NAVAL, MILITARY, AND AIR FORCE CHAPELS

- 68 Solemnization of marriages in naval, military, and air force chapels.
69 Licensing of chapels for marriages according to rites of Church of England.

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949. (See end of Document for details)

- 70 Registration of chapels for marriages otherwise than according to rites of Church of England.
- 70A Registration of chapels for marriages of same sex couples otherwise than according to rites of Church of England
- 71 Evidence of marriages under Part V.

PART VI

GENERAL

- 71A Fees
- 72 Supplementary provisions as to marriages in usual places of worship.
- 73 Lists of licensed chapels and registered buildings.
- 74 Regulations and approval of electronic forms etc.
- 75 Offences relating to solemnization of marriages.
- 76 Offences relating to registration of marriages.
- 76A Offence of failing to attend premises in compliance with a section 53D(8) or section 53E(10) notice
- 77 Offences by authorised persons.
- 78 Interpretation.
- 79 Repeals and savings.
- 80 Short title, extent and commencement.

SCHEDULES

SCHEDULE 1 — Kindred and affinity

Part 1 — PROHIBITED DEGREES: KINDRED

- 1 (1) The list referred to in section 1(1) is— Adoptive...
- Part 2 — DEGREES OF AFFINITY REFERRED TO IN SECTION 1(2) AND (3)
- 2 The list referred to in section 1(2) is as follows—...
- Part III
- 3 The list referred to in section 1(4) is as follows—...

SECOND — . . .

SCHEDULE

THIRD SCHEDULE —

SCHEDULE 3A — Modifications if proposed marriage referred under section 28H

Introduction

- 1 (1) These are the modifications subject to which this Act...

No marriage schedule to be issued until decision about investigation etc

- 2 (1) The duty under section 31(2) to issue a marriage...

Marriage to be investigated: extension of waiting period to 70 days

- 3 (1) The modifications in this paragraph have effect if the...

Effect of reducing statutory period

- 4 (1) This paragraph applies if— (a) the Secretary of State...

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949. (See end of Document for details)

- FOURTH SCHEDULE — Provisions of Act which are excluded or modified in their application to Naval, Military and Air Force Chapels
 - Part I — EXCLUSION OF PROVISIONS RELATING TO MARRIAGES ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND
 - Part II — MODIFICATION OF PROVISIONS RELATING TO MARRIAGES ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND
 - Part III — EXCLUSION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND
 - Part IV — MODIFICATION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND

- FIFTH SCHEDULE — Enactments repealed
 - Part I

Acts of Parliament repealed

Part

II.

- SIXTH SCHEDULE — Provisions of Act which do not extend to Wales

Changes to legislation:

There are currently no known outstanding effects for the Marriage Act 1949.