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STATUTORY INSTRUMENTS

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**2003 No. 413**

**The Marriage (Northern Ireland) Order 2003**

*Miscellaneous*

**Commencement of marriage**

**25.** The parties to a marriage solemnised in accordance with this Order shall be taken to be married to each other when both of them have made a declaration in the presence of each other, the person solemnising the marriage and two witnesses that they accept each other as husband and wife [<sup>F1</sup>or as husband and husband or as wife and wife] .

**F1** Words in art. 25 inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), 4 (with regs. 6-9)

**Validity of registered marriage**

**26.—**(1) The validity of a marriage shall not be questioned in any legal proceedings commenced at any time after the particulars of a marriage are registered on the ground of any contravention of a provision of, or made under, this Order.

(2) Paragraph (1) is without prejudice to Article 38 (offences).

(3) Paragraph (1) does not apply unless both parties were present at the marriage ceremony.

**Corrections and cancellations**

**27.—**(1) Regulations may make provision for the making of corrections by the Registrar General or any registrar.

(2) The Registrar General shall cancel the registration of a void marriage or direct the registrar to do so.

[<sup>F2</sup>(3) Paragraph (4) applies in relation to a marriage solemnised before, on or after 13th January 2020 where, before the marriage is solemnised, a full gender recognition certificate has been issued under the Gender Recognition Act 2004 to either or each of the parties.

(4) The Registrar General, after consulting the parties, may—

(a) modify, or direct a registrar to modify, the recorded status of either or both of the parties in the registration of the marriage, or

(b) direct a registrar to modify the way in which the status of either or both of the parties is to be recorded when registering the marriage,

for the purpose of reducing the risk that the recorded status of the parties in the registration of the marriage will disclose the issue of the gender recognition certificate or either of the certificates.]

*Status: Point in time view as at 13/01/2020.*

*Changes to legislation: There are currently no known outstanding effects for the The Marriage (Northern Ireland) Order 2003, Miscellaneous. (See end of Document for details)*

**F2** Art. 27(3)(4) inserted (13.1.2020) by [The Marriage \(Same-sex Couples\) and Civil Partnership \(Opposite-sex Couples\) \(Northern Ireland\) Regulations 2019 \(S.I. 2019/1514\)](#), regs. 1(2), **50(1)** (with regs. 6-9)

### Interpreters

**28.**—(1) If the person by whom a marriage is to be solemnised considers it necessary or desirable, he may use the services of an interpreter (not being a party or a witness to the marriage) at the marriage ceremony.

(2) The interpreter shall—

- (a) before the marriage ceremony, sign a statement that he understands, and is able to converse in, any language in respect of which he is to act as interpreter at that ceremony;
- (b) immediately after the marriage ceremony, give the person solemnising the marriage a certificate written in English and signed by the interpreter that he has faithfully acted as interpreter at that ceremony.

### Detained persons

**29.**—(1) If—

- (a) one of the parties to an intended marriage is detained in a prison or as a patient in a hospital, and
- (b) the marriage is to take place in that prison or hospital,

the marriage notice given by that party shall be accompanied by a statement to which paragraph (2) applies.

(2) This paragraph applies to a statement which—

- (a) is made in the prescribed form by the responsible authority not more than 21 days before the date on which the marriage notice is given;
- (b) identifies the establishment where the person is detained; and
- (c) states that the responsible authority has no objection to the intended marriage taking place in that establishment.

(3) In paragraph (2) “responsible authority” means—

- (a) if the person named in the statement is detained in a prison, the governor or other officer in charge of that prison;
- (b) if the person named in the statement is detained in a hospital or special accommodation, the Health and Social Services Board administering that hospital or the Department of Health, Social Services and Public Safety, respectively;
- (c) if the person named in the statement is detained in a private hospital, the person in charge of that hospital.

(4) After the registrar receives a marriage notice accompanied by a statement to which paragraph (2) applies, he shall notify the Registrar General and shall not complete a marriage schedule unless the Registrar General directs him to proceed under Article 7.

(5) The Registrar General shall direct the registrar under Article 18(7) to solemnise the marriage at the prison or hospital specified in the direction.

(6) In this Article—

- (a) “prison” includes a remand centre and a young offenders centre; and

- (b) “hospital, “patient”, “private hospital” and “special accommodation” have the same meanings as in the Mental Health (Northern Ireland) Order 1986 (NI 4).

**Status:**

Point in time view as at 13/01/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Marriage (Northern Ireland) Order 2003, Miscellaneous.