
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Consular Marriages and Marriages
under Foreign Law Order 2014**

PART 2

Consular marriages

Oath before marriage

8. Before a marriage is solemnized under this Order, each of the parties entering into the marriage must appear before a registration officer and sign, in a book kept by a registration officer for the purpose, a declaration—

- (a) that he or she believes —
 - (i) where the relevant part of the United Kingdom is England and Wales, that there is no impediment to the marriage such that the marriage would be void under section 1 of the Marriage Act 1949(1) (marriage within prohibited degrees) or other lawful hindrance;
 - (ii) where the relevant part of the United Kingdom is Scotland, that there is no impediment to the marriage such that the marriage would be void under section 2 of the Marriage (Scotland) Act 1977(2) (marriage of related persons) or other lawful hindrance;
- (b) that both of the parties have for a period of 21 days ending on the day on which the declaration is made had their usual residence within the consular district of the registration officer; and
- (c) where either party is under the age of 18 and the relevant part of the United Kingdom is England and Wales—
 - (i) that any consent to the marriage which is required in respect of that party has been obtained;
 - (ii) that the necessity of obtaining any such consent in respect of that party has been dispensed with; or
 - (iii) that the party is either a widow or a widower or surviving civil partner or that there is no person having authority to give any such consent.

(1) 1949 c. 76. Section 1 has been amended by section 1(6) of, and paragraph 2 of Schedule 1 to, the Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16), section 11 of and paragraphs 1 and 2 of Schedule 4 to, the Gender Recognition Act 2004 (c. 7), section 261(1) of, and paragraph 13 of Schedule 27 to, the Civil Partnership Act 2004 (c. 33) and S.I. 2007/438.

(2) 1977 c.15. Section 2 has been amended by section 10 of, and paragraph 17 of Schedule 1 and Schedule 2 to, the Law Reform (Parent and Child) (Scotland) Act 1986 (c. 9) and section 2 of, and paragraph 2 of Schedule 2, to the Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16).