
DRAFT STATUTORY INSTRUMENTS

2014 No.

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

PART 3

Marriage under Foreign Law

Application for a certificate of no impediment

14.—(1) This article applies where a United Kingdom national (N) wishes to enter into a marriage in a country or territory outside the United Kingdom which requires a consular certificate of no impediment to be issued before N is permitted under the law of that country or territory to enter into such a marriage.

(2) N may apply for a certificate of no impediment to the registration officer nominated by the Secretary of State for the purposes of this article in respect of the country or territory in which the marriage is to be registered.

(3) An application under paragraph (2) must be accompanied by —

(a) a notice, which must be dated, containing the following details in relation to each of parties to the proposed marriage—

- (i) forenames;
- (ii) surname;
- (iii) nationality;
- (iv) date of birth;
- (v) sex;
- (vi) address;
- (vii) marital condition;

(b) a signed declaration that—

- (i) N has been resident in the country or territory in which the notice is being given for a period of at least three days immediately preceding the giving of the notice;
- (ii) N believes there to be no impediment to the marriage such that the marriage would be void under section 1 of the Marriage Act 1949, section 2 of the Marriage (Scotland) Act 1977, article 18 of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984(1) or the Marriage (Northern Ireland) Order 2003(2) or otherwise.

(4) The notice detailed in paragraph (3)(a) and the declaration detailed in paragraph (3)(b) must be signed before any person authorised to witness the signature in the country or territory in which

(1) [S.I. 1984/1984 \(N.I. 14\)](#). Article 18 was amended by the Law Reform (Miscellaneous Provisions) (Northern Ireland) Order 2006 ([S.I. 2006/1945](#)) (N.I. 14).

(2) [S.I. 2003/413 \(N.I. 3\)](#).

the marriage is to be registered or the registration officer responsible for the consular district in which the marriage is to be registered.

(5) A person witnessing the signature under paragraph (4) must also sign and date the notice and declaration with a statement that they have witnessed the signature.

Issuing a certificate of no impediment

15.—(1) The registration officer must retain every notice and declaration made under article 14 and must display a true copy of the notice in a conspicuous place for a period of seven consecutive days preceding the issuing of a certificate of no impediment.

(2) A registration officer may request any further information from N which the registration officer considers to be relevant to the decision whether to issue a certificate of no impediment.

(3) Where an application is made in accordance with article 14, and the appropriate fee under the Consular Fees Act 1980⁽³⁾ paid, the registration officer must issue a certificate of no impediment unless the registration officer considers there is reason to believe that there would be an impediment to the marriage taking place if it were to take place in England and Wales, Scotland or Northern Ireland.

(3) 1980 c. 23.