
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Consular Marriages and Marriages
under Foreign Law (No. 2) Order 2014**

PART 3

Marriage under Foreign Law

Application for a certificate of no impediment to the superintendent registrar

14.—(1) Any United Kingdom national (N) (if resident in England and Wales) who wishes to be married in a country or territory outside the United Kingdom which is not included in Schedule 3 to the British Nationality Act 1981⁽¹⁾ where the law of that country or territory requires N to obtain a certificate of no impediment to be issued by the domestic authorities in the United Kingdom may make an application for such a certificate to the superintendent registrar in England and Wales.

(2) An application under paragraph (1) must be made to the superintendent registrar of the registration district in which N is resident and has resided in for no less than the period immediately preceding the application as would be required in order to give notice of marriage in England and Wales.

(3) An application under paragraph (1) must be accompanied by—

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

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

(b) a declaration signed by N that—

- (i) N is resident and has resided in the registration district in which notice is given for no less than the same period immediately preceding the giving of the notice as would be required if the marriage were to be solemnized in England and Wales;
- (ii) if N, not being a widower or widow or surviving civil partner, is under the age of eighteen years, that the consent of the persons whose consent to the marriage is required by law has been obtained, or that there is no person having authority to give that consent, as the case may be;

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, The Consular Marriages and Marriages under Foreign Law (No. 2) Order 2014 ISBN 978-0-11-112234-1

- (iii) 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(2) or otherwise.

(2) 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.