



Registration of Births, Deaths and Marriages (Scotland) Act 1965

1965 CHAPTER 49

PART IV

REGISTRATION OF MARRIAGES

29 Marriage Schedule

In the case of a marriage to be solemnised by a minister or according to the usages of the Society of Friends or of persons professing the Jewish religion, the district registrar of the registration district in which such marriage is to take place shall, in accordance with information supplied to him by the contracting parties to the best of their knowledge and belief, complete a Marriage Schedule in the prescribed form if there is produced to him—

- (a) a valid certificate or certificates of the due proclamation of banns of marriage; or
- (b) a valid certificate or certificates of the due publication under the Marriage Notice (Scotland) Act 1878 of notice of the intended marriage, or a valid certificate or certificates which by virtue of any other enactment is of the same force and effect as a certificate under that Act; or
- (c) a valid certificate of the due proclamation of banns in the case of one of the parties and a valid certificate of the due publication of notice as aforesaid in the case of the other party ; or
- (d) a licence granted by the sheriff under section 2 of the Marriage (Scotland) Act 1939.

In this and the next following section " minister " means a minister, clergyman, pastor or priest of any Christian denomination.

30 Issue and signature of Marriage Schedule and registration of marriage

- (1) The Marriage Schedule completed in accordance with the provisions of the last foregoing section shall be issued by the district registrar to the parties to the intended marriage who shall produce it to the minister solemnising the marriage, or to the person solemnising the marriage according to the usages of the Society of Friends or of persons professing the Jewish religion.
- (2) Immediately after the solemnisation of the marriage, the Marriage Schedule shall be signed by the parties contracting the marriage, by at least two of the witnesses present thereat, and by the minister or other person officiating.
- (3) The parties to the marriage shall, within three days thereafter, deliver or send by post the Marriage Schedule to the district registrar of the registration district in which the marriage took place.
- (4) On receipt of the Marriage Schedule the district registrar shall cause the particulars as set forth therein to be entered as soon as possible in a register of marriages to be kept by him for his district, and the Marriage Schedule shall be transmitted to the Registrar General for preservation in the General Register Office.

31 Registrar's power to require delivery of Marriage Schedule

- (1) Where after the expiration of twenty-one days from the date of marriage as entered in the Marriage Schedule that Schedule has not been delivered to the district registrar, he may serve a notice in the prescribed form on either of the parties to the marriage requiring him or her within eight days from the date of service of the notice to deliver or send by post the said Schedule to the district registrar.
- (2) If any person on whom a notice has been served in pursuance of the foregoing subsection fails to comply with the notice the district registrar may serve on that person a second notice in the prescribed form requiring him or her to attend personally at the registration office within eight days from the date of service of the second notice, for the purpose of delivering the Marriage Schedule to the district registrar to enable him to register the marriage.
- (3) If on summary application by the district registrar it appears to the sheriff that any person on whom a second notice has been served in pursuance of the last foregoing subsection has failed without reasonable cause to comply therewith within the period specified therein, the sheriff may grant decree ordaining the person to comply with the notice within such further period as may be specified in the decree; and any such decree may be enforced in like manner as a decree *ad factum praestandum*.
- (4) Any notice served under subsection (1) or subsection (2) of this section shall cease to have effect if, before it is complied with, the Marriage Schedule shall have been delivered to the district registrar.