

**Changes to legislation:** Marriage (Scotland) Act 1977, Paragraph 2 is up to date with all changes known to be in force on or before 13 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1A

#### MODIFICATIONS IF PROPOSED MARRIAGE REFERRED UNDER SECTION 3F

##### Textual Amendments

- F1** Sch. 1A inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Scotland\) Order 2015 \(S.I. 2015/396\)](#), art. 1(2), **Sch. 1 para. 3** (with art. 1(3)(4))

*No Marriage Schedule to be completed until decision about investigation etc.*

2. (1) The duty under section 6(1) to complete a Marriage Schedule in respect of the referred marriage does not apply unless and until one of the following events occurs.
  - (2) Event 1 occurs if—
    - (a) the Secretary of State gives the district registrar the section 48 notice, and
    - (b) that notice is of a decision not to investigate whether the referred marriage is a sham.
  - (3) Event 2 occurs if—
    - (a) the relevant statutory period ends, and
    - (b) the Secretary of State has not given the district registrar the section 48 notice.
  - (4) Event 3 occurs if—
    - (a) the Secretary of State gives the district registrar the section 48 notice,
    - (b) that notice is of a decision to investigate whether the referred marriage is a sham,
    - (c) the Secretary of State gives the district registrar the section 50 notice, and
    - (d) that notice is of a decision that both of the parties to the referred marriage have complied with the investigation.
  - (5) Event 4 occurs if—
    - (a) the 70 day period ends, and
    - (b) the Secretary of State has not given the district registrar the section 50 notice.
  - (6) Event 5 occurs if the Secretary of State gives the district registrar notice that the duty under section 6(1) is applicable.
  - (7) The Secretary of State may give a notice for that purpose only if—
    - (a) the Secretary of State has given the district registrar the section 48 notice,
    - (b) that notice is of a decision to investigate whether the referred marriage is a sham,
    - (c) the Secretary of State has given the district registrar the section 50 notice, and

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- (d) that notice is of a decision that one or both of the parties to the referred marriage have not complied with the investigation.
- (8) This paragraph applies in addition to any other requirements applicable to the completion of the Marriage Schedule.
- (9) This paragraph is subject to paragraph 4.
- (10) In this paragraph—
  - “70 day period” has the same meaning as in section 50(11) of the 2014 Act;
  - “relevant statutory period” has the same meaning as in section 62 of the 2014 Act;
  - “section 48 notice” means notice under section 48(8C) of the 2014 Act;
  - “section 50 notice” means notice under section 50(7) of the 2014 Act.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(2)(e) inserted by [2014 asp 5 s. 13\(2\)\(d\)](#)