



Marriage (Scotland) Act 1977

1977 CHAPTER 15

General

24 Offences

(1) Any person who—

- (a) falsifies or forges any Marriage Schedule, certificate or declaration issued or made, or purporting to be issued or made, under this Act;
 - (b) knowingly uses, or gives or sends to any person as genuine, any false or forged Marriage Schedule, certificate, declaration or other document issued or made, or purporting to be issued or made, or required, under this Act;
 - (c) being an approved celebrant, solemnises a marriage without a Marriage Schedule in respect of the marriage, issued in accordance with this Act, being available to him at the time of the marriage ceremony ;
 - (d) not being an approved celebrant or an authorised registrar, conducts a marriage ceremony in such a way as to lead the parties to the marriage to believe that he is solemnising a valid marriage; or
 - (e) being an approved celebrant or an authorised registrar, solemnises a marriage without both parties to the marriage being present,
- shall be guilty of an offence and shall be liable—

- (i) on conviction on indictment, to a fine or to imprisonment for a term not exceeding 2 years or to both;
- (ii) on summary conviction, to a fine not exceeding £100 or to imprisonment for a term not exceeding 3 months or to both.

(2) Any person who—

- (a) solemnises a marriage in an area in which by virtue of section 9(4)(b) of this Act he is not permitted to solemnise a marriage;
- (b) solemnises a marriage in contravention of section 10(5) of this Act;
- (c) being a person temporarily authorised under section 12(a) of this Act, solemnises a marriage not specified in that authorisation;
- (d) solemnises a marriage in contravention of section 14 of this Act; or

Status: This is the original version (as it was originally enacted).

(e) being a party to a marriage, fails to comply with a notice served under section 16(2) of this Act,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding £100.

(3) Summary proceedings for an offence under this Act or, in relation to information supplied under or for the purposes of this Act, section 53(1)(a) of the Registration of Births, Deaths and Marriages (Scotland) Act 1965, may be commenced at any time within the period of 3 months from the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge or within the period of 12 months from the commission of the offence, whichever period last expires; and subsection (3) of section 331 of the Criminal Procedure (Scotland) Act 1975 (date of commencement of summary proceedings) shall have effect for the purposes of this section as it has effect for the purposes of that section.