



Marriage Act 1983

1983 CHAPTER 32

Marriages in England and Wales

1 Marriages of house-bound and detained persons in England and Wales.

- (1) Subject to the provisions of this Act and the ^{M1}Marriage Act 1949, the marriage of a person who is house-bound or is a detained person may be solemnized in England and Wales, on the authority of a superintendent registrar's certificate issued under Part III of the Marriage Act 1949, at the place where that person usually resides.
- (2) For the purposes of this section a person is house-bound if—
 - (a) the notice of his or her marriage given in accordance with section 27 of the Marriage Act 1949 is accompanied by a statement, made in a form prescribed under that Act by a registered medical practitioner not more than fourteen days before that notice is given, that, in his opinion—
 - (i) by reason of illness or disability, he or she ought not to move or be moved from his or her home or the other place where he or she is at that time, and
 - (ii) it is likely that it will be the case for at least the three months following the date on which the statement is made that by reason of the illness or disability he or she ought not to move or be moved from that place; and
 - (b) he or she is not a detained person.
- (3) For the purposes of this section, a person is a detained person if he or she is for the time being detained—
 - (a) otherwise than by virtue of section 2, 4, 5, 35, 36 or 136 of the ^{M2}Mental Health Act 1983 (short term detentions), as a patient in a hospital; or
 - (b) in a prison or other place to which the ^{M3}Prison Act 1952 applies.
- (4) In subsection (3) above “hospital” and “patient” have the same meanings as in Part II of the Mental Health Act 1983.

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Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1983, Cross Heading: Marriages in England and Wales. (See end of Document for details)

- (5) For the purposes of this section, a person who is house-bound or is a detained person shall be taken, if he or she would not otherwise be, to be usually resident at the place where he or she is for the time being.
- (6) Nothing in the preceding provisions of this section shall be taken to relate or have any reference to any marriage according to the usages of the Society of Friends or any marriage between two persons professing the Jewish religion according to the usages of the Jews.
- (7) Schedule 1 to this Act (amendment of the ^{M4}Marriage Age 1949 in consequence of this section) shall have effect.

Marginal Citations

- M1** 1949 c. 76.
M2 1983 c. 20.
M3 1952 c. 52.
M4 1949 c. 76.

2 Consequential amendments of enactments.

- (1) Any reference in the ^{M5}Registration Service Act 1953 to the Marriage Act 1949 includes a reference to that Act as amended by this Act.
- (2) In Schedule 3 to the ^{M6}Public Expenditure and Receipts Act 1968 (variation of fees payable under certain enactments) the reference to the Marriage Act 1949 includes a reference to that Act as amended by this Act.
- (3) At the end of subsection (2) of section 1 of the ^{M7}Marriage (Registrar General's Licence) Act 1970 (restrictions on Registrar General's power to issue licences under subsection (1) of that section) there shall be added the words "(disregarding for this purpose the provisions of that Act relating to marriages in pursuance of section 26(1)(dd) of that Act)".
- (4) In section 11 of the ^{M8}Matrimonial Causes Act 1973 (void marriages) for the words in paragraph (a) "the Marriages Acts 1949 to 1970" there shall be substituted the words "the Marriage Acts 1949 to 1983".

Marginal Citations

- M5** 1953 c. 37.
M6 1968 c. 14.
M7 1970 c. 34.
M8 1973 c. 18.

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