



# Marriage Ceremony (Prescribed Words) Act 1996

1996 CHAPTER 34

**E+W**

An Act to provide alternatives for the declaration and words of contract prescribed by law for marriage ceremonies in registered buildings and register offices, on approved premises and in certain other circumstances. [18th July 1996]

Be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

## Commencement Information

- II** Act wholly in force at 1.2.1997; Act not in force at Royal Assent, see [s. 2\(2\)](#); Act wholly in force at 1.2.1997 by [S.I. 1996/2506, art. 2](#)

## **1** Alternatives for prescribed declaration and words of contract. **E+W**

- (1) In section 44(3) of the <sup>M1</sup>Marriage Act 1949 (which sets out a declaration and words of contract required to be made and used by the parties in the course of a marriage ceremony in a registered building) for the proviso there shall be substituted—

“(3A) As an alternative to the declaration set out in subsection (3) of this section the persons contracting the marriage may make the requisite declaration either—

- (a) by saying “I declare that I know of no legal reason why I [*name*] may not be joined in marriage to [*name*]”; or
- (b) by replying “I am” to the question put to them successively “Are you [*name*] free lawfully to marry [*name*]?”;

*Status: Point in time view as at 01/02/1997.*

*Changes to legislation: There are currently no known outstanding effects for the Marriage Ceremony (Prescribed Words) Act 1996. (See end of Document for details)*

and as an alternative to the words of contract set out in that subsection the persons to be married may say to each other “I [*name*] take you [*or thee*] [*name*] to be my wedded wife [*or husband*]”.

- (2) Those alternatives shall also be available in other cases where the declaration and form of words in section 44(3) are required to be made and used and accordingly—
- (a) in sections 45(1) and 45A(2) and (3) of the Marriage Act 1949 (register office marriages and marriages of persons who are house-bound or detained) after “subsection (3)” there shall be inserted “ or (3A) ”;
  - (b) in section 46B(3) of that Act and section 10(3) of the <sup>M2</sup>Marriage (Registrar-General’s Licence) Act 1970 (marriages on approved premises and marriages of seriously ill persons) after “section 44(3)” there shall be inserted “ or (3A) ”;
- and in the said sections 45(1), 45A(2) and (3) and 46B(3) the words “in the presence of a registrar” shall be omitted.
- (3) In section 52 of the <sup>M3</sup>Marriage Act 1949 (Welsh translation of declaration and form of words in section 44(3)) for “declaration and form of words”, in both places, there shall be substituted “ declarations and forms of words ”.

#### Marginal Citations

- M1** 1949 c. 76.  
**M2** 1970 c. 34.  
**M3** 1949 c. 76.

## 2 Short title, commencement and extent. **E+W**

- (1) This Act may be cited as the Marriage Ceremony (Prescribed Words) Act 1996.
- (2) This Act shall come into force on such day as the Secretary of State may appoint by an order made by statutory instrument.
- (3) This Act does not extend to Scotland or Northern Ireland.

#### Subordinate Legislation Made

- P1** S. 2(2) power fully exercised (1.10.1996): 1.2.1997 appointed day by S.I. 1996/2506, art. 2

**Status:**

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**Changes to legislation:**

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