

SCHEDULES

SCHEDULE 7

TRANSITIONAL AND CONSEQUENTIAL PROVISION ETC

PART 2

MINOR AND CONSEQUENTIAL AMENDMENTS

Marriage Act 1949 (c. 76)

15 After section 49 insert—

“49A Void marriages: additional provision about same sex couples

- (1) If a same sex couple knowingly and wilfully intermarries under the provisions of this Part of this Act in the absence of the required consent, the marriage shall be void.
- (2) In this section, in relation to a marriage of a same sex couple, “required consent” means consent under—
 - (a) section 26A(3), in a case where section 26A applies to the marriage (but section 44A does not apply to it);
 - (b) section 26A(3) and section 44A(6), in a case where section 26A and section 44A apply to the marriage;
 - (c) section 26B(2)(b), in a case where section 26B(1), (2) and (3) apply to the marriage;
 - (d) section 26B(4)(b), in a case where section 26B(1), (4) and (5) apply to the marriage;
 - (e) section 26B(6)(d), in a case where section 26B(1), (6) and (7) apply to the marriage.”.