

Status: Point in time view as at 01/02/1991.

Changes to legislation: There are currently no known outstanding effects for the Marriage with Foreigners Act 1906, SCHEDULE. (See end of Document for details)

SCHEDULE

..... F1

Textual Amendments

- F1** Heading “Part I Provisions Applicable Except in Scotland” repealed by [Marriage \(Scotland\) Act 1977](#) (c. 15, SIF 49:2), s. 28(2), [Sch. 3](#) (subject to a saving in s. 27(3) in relation to marriages before 1.1.1978)

A.—Conditions

- 1 The applicant shall sign a notice stating the name, surname, profession, condition, nationality, and residence of each of the parties to the marriage, and whether each of the parties is or is not a minor.
- 2 The applicant shall at the time of giving the notice make and subscribe in a book to be kept by the registrar or officer for the purpose an oath—
- (a) that the applicant believes that there is no impediment to the marriage by reason of kindred or alliance, or otherwise; and
 - (b) that the applicant has for three weeks immediately preceding had his usual residence within the district of the registrar or officer; and
 - (c) if the applicant, not being a widower or widow, is under the age of [F²eighteen years], that the consent of the persons whose consent to the marriage is required by law has been obtained thereto, or that there is no person having authority to give that consent, as the case may be.

Textual Amendments

- F2** Words substituted by [Family Law Reform Act 1969](#) (c. 46), [ss. 2\(1\), 28\(4\) \(b\)](#)

- 3 The registrar or officer shall file every such notice and keep it with the archives of his office, and shall forthwith enter in a book of notices to be kept by him for the purpose, and post up in some conspicuous place in his office a copy of every such notice, and shall keep it so posted up for at least twenty-one days.
- 4 The book in which the notice is entered, and the copy posted up, shall be open at all reasonable times without fee to the inspection of any person.

B.—Provisions as to forbidding Certificate, and as to Caveats

- 5 Any person whose consent is required by law to marriages solemnised in England may forbid the certificate by writing the word “forbidden” opposite to the entry of the application in the book of notices, and by subscribing thereto his name and residence and the character by reason of which he is authorised to forbid the certificate.
- (6) Any person may enter with the registrar or officer a caveat against the granting of the certificate, signed by him or in his behalf and stating his residence and the grounds of his objection.
 - (b) The registrar or officer shall examine into the matter of the caveat and decide whether it ought to obstruct the giving of the certificate or not, but

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he may if he thinks fit refer the matter to the Registrar-General to decide. If the registrar or officer decides the question himself, and decides that the caveat ought to obstruct the granting of the certificate, the applicant for the certificate may appeal to the Registrar-General in manner provided by regulations made under this Act.

- (c) The caveat shall cease to operate—
- (i) if withdrawn by the persons entering it; or
 - (ii) if it is decided by the registrar or officer or by the Registrar-General on appeal that it ought not to obstruct the giving of the certificate.

PART II

F3

Textual Amendments

- F3** Sch. Pt. II repealed by [Marriage \(Scotland\) Act 1977 \(c. 15, SIF 49:2\)](#), s. 28(2), [Sch. 3](#) (subject to a saving in s. 27(3) in relation to marriages before 1.1.1978)

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