

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### FIRST SCHEDULE

Section 1.

#### KINDRED AND AFFINITY

##### Modifications etc. (not altering text)

**C1** Sch. 1 saved by [Adoption Act 1976 \(c. 36, SIF 49:11\)](#), **s. 47(1)**

#### PART I

##### Modifications etc. (not altering text)

**C2** Sch. 1 Pt. 1 excluded by [Children Act 1975 \(c. 72, SIF 49:10\)](#), s. 8(9), [Sch. 1 Pt. II paras. 3, 7\(1\)](#) (which Act is repealed (E.W. N.I.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(6)(7), [Sch. 14 paras. 27\(4\)\(5\), Sch. 15](#)); [S.I. 1991/828](#), **art. 3(2)**

#### *Prohibited degrees of relationship*

Mother	Fa ther
[ <sup>F1</sup> Adoptive mother or former adoptive mother]	[ <sup>F1</sup> Adoptive father or former adoptive fathe r]
Daughter	S on
[ <sup>F1</sup> Adoptive daughter or former adoptive daughter]	[ <sup>F1</sup> Adoptive son or former adoptive son]
Father's mother	Father's father
Mother's mother	Mother's father
Son's daughter	Son's son
Daughter's daughter	Daughter's son
Sister	Bro ther
...	...
<sup>F2</sup>	<sup>F2</sup>
Father's sister	Father's brother
Mother's sister	Mother's brother
Brother's daughter	Brother's son
Sister's daughter	Sister's son

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

- F1** Words inserted by [Children Act 1975 \(c. 72, SIF 49:10\)](#), **s. 108(1)(a)**, Sch. 3 para. 8
- F2** Entries repealed by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 1(4)(6), **Sch. 1 para. 8(a)**

[<sup>F3</sup>PART II

**Textual Amendments**

- F3** Sch. 1 Pts. II, III added by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 1(4)(6), **Sch. 1 para. 8(b)**: original Sch. 1 Pt. II repealed by [Marriage \(Enabling\) Act 1960 \(c. 29\)](#), **Sch**

*Degrees of affinity referred to in section 1(2) and (3) of this Act*

Daughter of former wife	Son of former husband
Former wife of father	Former husband of mother
Former wife of father's father	Former husband of father's mother
Former wife of mother's father	Former husband of mother's mother
Daughter of son of former wife	Son of son of former husband
Daughter of daughter of former wife	Son of daughter of former husband]

[<sup>F4</sup>PART III

**Textual Amendments**

- F4** Sch. 1 Pts. II, III added by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 1(4)(6), **Sch. 1 para. 8(b)**: original Sch. 1 Pt. II repealed by [Marriage \(Enabling\) Act 1960 \(c. 29\)](#), **Sch**

*Degrees of affinity referred to in section 1(4) and (5) of this Act*

Mother of former wife	Father of former husband
Former wife of son	Former husband of daughter]

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

<sup>F5</sup>SECOND SCHEDULE

Section 3.

**Textual Amendments**

**F5** Sch. 2 repealed (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108, [Sch.15](#) (with saving in [Sch. 14 para. 37](#), and with [Sch. 14 paras. 1\(1\), 27\(4\)](#)); S.I. 1991/828, [art. 3\(2\)](#)

<sup>F6</sup>THIRD SCHEDULE

Section 68.

**Textual Amendments**

**F6** Sch. 3 repealed (with saving) by [Armed Forces Act 1981 \(c. 55, SIF 7:1\)](#), s. 28(2), [Sch. 5 Pt. I](#)

FOURTH SCHEDULE

Sections 69, 70.

PROVISIONS OF ACT WHICH ARE EXCLUDED OR MODIFIED IN THEIR  
APPLICATION TO NAVAL, MILITARY AND AIR FORCE CHAPELS

**PART I**

EXCLUSION OF PROVISIONS RELATING TO MARRIAGES  
ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND

Subsection (4) of section six.

Paragraph (b) of subsection (I) of section fifteen.

The proviso to section seventeen.

Section eighteen.

Section twenty.

Subsection (3) of section thirty-five.

The proviso to subsection (1) of section forty-four.

Sections fifty-three to fifty-seven, fifty-nine and sixty, so far as those sections relate to the registration of marriages by clergymen and to the duties of incumbents in relation to marriage register books.

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## PART II

### MODIFICATION OF PROVISIONS RELATING TO MARRIAGES ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND

Subsection (1) of section six shall apply as if the chapel were the parish church of the parish in which the chapel is situated.

Subsection (3) of section seven shall apply as if for the reference to the parochial church council there were substituted, in relation to a naval chapel, a reference to the Admiralty and, in relation to any other chapel, a reference to a Secretary of State.

Section eight shall apply as if it required the notice in writing mentioned therein to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act, and to specify the person so qualified and the nature of his qualification.

Paragraph (a) of subsection (1) of section fifteen shall apply as if the chapel were the parish church of the parish in which the chapel is situated.

Subsection (1) of section sixteen shall apply as if it required the oath, which is to be taken thereunder, to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Subsection (3) of section twenty-seven shall apply as if it required the notice of marriage to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Section fifty shall apply as if for the reference to the officiating clergyman there were substituted a reference to the clergyman appointed under section sixty-nine of this Act for the purpose of registering marriages, in whose presence the marriage is solemnized.

## PART III

### EXCLUSION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND

The proviso to section seventeen.

The proviso to subsection (2) of section twenty-six.

Section forty-one.

Section forty-two. [<sup>F7</sup>The proviso to subsection (1) of section forty-three.]

#### **Textual Amendments**

**F7** Words inserted by [Marriage Acts Amendment Act 1958 \(c. 29\), s. 1\(2\)](#)

The proviso to subsection (1) of section forty-four.

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## PART IV

### MODIFICATION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND

Subsection (3) of section twenty-seven shall apply as if it required the notice of marriage to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Sections forty-three, forty-four and fifty-four shall apply as if for any reference to the trustees or governing body of a building there were substituted a reference to the Admiralty or any person authorised by them, in the case of a naval chapel, and a reference to a Secretary of State or any person authorised by him, in the case of any other chapel.

## FIFTH SCHEDULE

Section 79.

### ENACTMENTS REPEALED

## PART I

### *Acts of Parliament repealed*

Session and Chapter	Short Title	Extent of Repeal
... F8	... F8	... F8
62 & 63 Vict. c.27.	The Marriages Validity Act, 1899.	The whole Act so far as it relates to marriages solemnized in England.
... F8	... F8	... F8
8 Edw. 7, c.26.	The Naval Marriages Act, 1908.	The whole Act so far as it relates to marriages solemnized in England.
... F8	... F8	... F8
2 & 3 Geo. 6, c.33.	The Marriage Act, 1939	Section one, so far as it relates to marriages solemnized in England
... F8	... F8	... F8

*Status: Point in time view as at 01/04/1995.*

*Changes to legislation: Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

**Textual Amendments**

**F8** Entries repealed by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [Sch. 1](#)

**PART II..... F9**

**Textual Amendments**

**F9** Entries repealed by [Statute Law Revision Act 1953 \(2 & 3 Eliz. 2 c. 5\)](#), [Sch. 1](#)

SIXTH SCHEDULE

Section 80.

PROVISIONS OF ACT WHICH DO NOT EXTEND TO WALES

... **F10**

**Textual Amendments**

**F10** Words repealed by [Marriages \(Wales and Monmouthshire\) Act 1962 \(c. 32\)](#), [s. 1\(1\)](#)

Section ten.

... **F10**

Section nineteen.

Subsection (7) of section twenty.

... **F11**

**Textual Amendments**

**F11** Entry repealed as provided by [Marriage \(Wales\) Act 1986 \(c. 7, SIF 49:1\)](#), [s. 1](#)

... **F10**

**Status:**

Point in time view as at 01/04/1995.

**Changes to legislation:**

Marriage Act 1949 is up to date with all changes known to be in force on or before 29 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.