



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART III

MARRIAGE UNDER [<sup>F1</sup>MARRIAGE SCHEDULE]

*Issue of [<sup>F1</sup>a marriage schedule]*

### [<sup>F1</sup>26B Opt-in to marriage of same sex couples: other religious ceremonies

- (1) A marriage may, in any of the following cases, be solemnized on the authority of [<sup>F2</sup>a marriage schedule].
- (2) Case A is where—
  - (a) the marriage is of a same sex couple according to the usages of the Society of Friends (commonly called Quakers), and
  - (b) the relevant governing authority has given written consent to such marriages of same sex couples.
- (3) For that purpose “relevant governing authority” means the recording clerk for the time being of the Society of Friends in London.
- (4) Case B is where—
  - (a) the marriage is of a same sex couple professing the Jewish religion according to the usages of the Jews, and
  - (b) the relevant governing authority has given written consent to such marriages of same sex couples.
- (5) For that purpose the meaning of “relevant governing authority” is to be determined in accordance with this table—

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| <i>The “relevant governing authority” is...</i> | <i>...if the marriage falls to be registered by...</i> |
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*Changes to legislation: There are currently no known outstanding effects  
for the Marriage Act 1949, Section 26B. (See end of Document for details)*

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| <p>the Chief Rabbi of the United Hebrew Congregations of the Commonwealth</p>   | <p>the secretary of a synagogue certified under paragraph (a) of the relevant definition (certification by the President of the Board of Deputies)</p>   |
| <p>the person or persons duly recognised by the members of—</p> <ul style="list-style-type: none"> <li>(i) the West London Synagogue of British Jews (“the West London Synagogue”), and</li> <li>(ii) the other synagogues that are constituents of or affiliated to the Movement for Reform Judaism</li> </ul> | <p>— either the secretary of the West London Synagogue, as certified under paragraph (b) of the relevant definition — or the secretary of another synagogue in a case where:</p> <ul style="list-style-type: none"> <li>(i) the secretary is certified under paragraph (d) of the relevant definition by the secretary of the West London Synagogue, and</li> <li>(ii) the synagogue is one of those which are constituents of or affiliated to the Movement for Reform Judaism</li> </ul> |
| <p>the person or persons duly recognised by the members of—</p> <ul style="list-style-type: none"> <li>(i) the Liberal Jewish Synagogue, St. John's Wood (“the St. John's Wood Synagogue”), and</li> <li>(ii) the other synagogues that are constituents of or affiliated to Liberal Judaism</li> </ul>         | <p>— either the secretary of the St. John's Wood Synagogue, as certified under paragraph (c) of the relevant definition — or the secretary of another synagogue in a case where:</p> <ul style="list-style-type: none"> <li>(i) the secretary is certified under paragraph (d) of the relevant definition by the secretary of the St. John's Wood Synagogue, and</li> <li>(ii) the synagogue is one of those which are constituents of or affiliated to Liberal Judaism</li> </ul>         |
| <p>the person or persons duly recognised by the members of the synagogue by whose secretary the marriage falls to be registered</p>   | <p>the secretary of a synagogue certified under paragraph (d) of the relevant definition (certification by the secretary of the West London Synagogue or the secretary of the St. John's Wood Synagogue) in a case where the synagogue is not one of those which are constituents of or affiliated to:</p> <ul style="list-style-type: none"> <li>(i) the Movement for Reform Judaism, or</li> <li>(ii) Liberal Judaism</li> </ul>   |

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In that table—

- (a) “relevant definition” means the definition of “secretary of a synagogue” in section 67;
  - (b) a reference to a person or persons being duly recognised is a reference to the person or persons being recognised for the purpose of giving consent for the purposes of this section.
- (6) Case C is where—
- (a) the marriage is of a same sex couple according to religious rites or usages (other than the rites of the Church of England),

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- (b) one or each of the couple is house-bound or a detained person,
- (c) the marriage is at the usual place of residence of the house-bound or detained person or persons, and
- (d) the relevant governing authority has given written consent to marriages of same sex couples according to those religious rites or usages.

(7) For that purpose—

“relevant governing authority” means the person or persons recognised by the members of the relevant religious organisation as competent for the purpose of giving consent for the purposes of this section;

“relevant religious organisation” means the religious organisation according to whose rites or usages the marriage is to be solemnized.

(8) Subsection (6) does not authorise a marriage that may be solemnized under subsection (2) or (4).]

#### **Textual Amendments**

- F1** S. 26B inserted (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\), ss. 5, 21\(3\)](#); S.I. 2014/93, art. 3(c)
- F2** Words in s. 26B(1) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\), reg. 1\(2\), Sch. 1 para. 11\(c\)](#) (with Sch. 2)

**Changes to legislation:**

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