



Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

PART III

MARRIAGE UNDER SUPERINTENDENT REGISTRAR'S CERTIFICATE

Issue of certificates

28 Declaration to accompany notice of marriage.

- (1) No certificate ^{F1} . . . for marriage shall be issued by a superintendent registrar unless the notice of marriage is accompanied by a solemn declaration in writing, in the body or at the foot of the notice, made and signed at the time of the giving of the notice by the person by whom the notice is given and attested as mentioned in subsection (2) of this section—
- (a) that he or she believes that there is no impediment of kindred or alliance or other lawful hindrance to the marriage;
 - ^{F2}[(b) that the persons to be married have for the period of 7 days immediately before the giving of the notice had their usual places of residence within the registration district or registration districts in which notice is given;]
 - (c) where one of the persons to be married is [^{F3}an infant][^{F3}a child] and is not a widower or widow, that the consent of the person or persons whose consent to the marriage is required under section three of this Act has been obtained, that the necessity of obtaining any such consent has been dispensed with under that section, that the court has consented to the marriage under that section, or that there is no person whose consent to the marriage is so required.
- (2) Any such declaration as aforesaid shall be signed by the person giving the notice of marriage in the presence of the superintendent registrar to whom the notice is given or his deputy, or in the presence of a registrar of births and deaths or of marriages for the registration district in which the person giving the notice resides or his deputy, and that superintendent registrar, deputy superintendent registrar, registrar or deputy registrar, as the case may be, shall attest the declaration by adding thereto his name, description and place of residence.

Status: Point in time view as at 03/04/2008. This version of this provision has been superseded.

Changes to legislation: Marriage Act 1949, Section 28 is up to date with all changes known to be in force on or before 10 September 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- F1** Words in s. 28(1) repealed (1.1.2001) by 1999 c. 33, s. 169(1)(3), Sch. 14 paras. 3, 11, **Sch. 16**; S.I. 2000/2698, **art. 2**
- F2** S. 28(1)(b) substituted (1.1.2001) by 1999 c. 33, s. 169(1)(3), Sch. 14 paras. 3, 11, **Sch. 16**; S.I. 2000/2698, **art. 2**
- F3** Words “a child” substituted (E.W.) for words “an infant” by Family Law Reform Act 1987 (c. 42 SIF 49:7), ss. 33(1), 34(2)(5), Sch. 2 para. 9

Modifications etc. (not altering text)

- C1** S. 28 (except s. 28(1)(b)) applied (with modifications) by **Marriage (Registrar General's Licence) Act 1970 (c. 34), s. 2(3)**
- C2** S. 28(1) applied (with modifications) by **Marriage (Scotland) Act 1956 (c. 70), s. 1(2)(c)**

Status:

Point in time view as at 03/04/2008. This version of this provision has been superseded.

Changes to legislation:

Marriage Act 1949, Section 28 is up to date with all changes known to be in force on or before 10 September 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.