



Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

PART III

MARRIAGE UNDER [^{F1}MARRIAGE SCHEDULE]

Issue of [^{F1}a marriage schedule]

39 Issue of certificates on board His Majesty's ships.

- (1) Where a marriage is intended to be solemnized in England on the authority of [^{F1}a marriage schedule]^{F2} . . . between parties of whom one is residing in England and the other is an officer, seaman, or marine borne on the books of one of His Majesty's ships at sea, the last-mentioned party may give notice of his intention to the captain or other officer commanding the ship, together with the name and address of the other party to the marriage, and such other information as may be necessary to enable the captain or other officer to fill up a certificate under this section, and shall at the same time make and sign such a declaration as is required by section twenty-eight of this Act, and the captain or other officer may attest the declaration and thereupon issue a certificate to the officer, seaman or marine giving the notice.
- (2) A certificate issued under this section shall be in such form as may be prescribed by the Admiralty ^{F3} . . . , and all provisions of this Act (including penal provisions [^{F4}but [^{F5}excluding sections 27A and 27B]]) relating to notices and declarations for obtaining [^{F6}a marriage schedule and to the issue of a marriage schedule apply in relation to a notice and declaration under subsection (1) and the issue of a certificate under this section], subject to such adaptations therein as may be made by His Majesty by Order in Council.
- [^{F7}(3) Subsections (4) to (6) apply where—
 - (a) the party who is an officer, seaman or marine borne on the books of one of Her Majesty's ships at sea has been issued with a certificate under this section, and
 - (b) the superintendent registrar for the registration district in which the other party resides has received that certificate.

*Changes to legislation: There are currently no known outstanding effects
for the Marriage Act 1949, Section 39. (See end of Document for details)*

- (4) That superintendent registrar may accept notice of marriage from that other party under section 27 and in accordance with this Part, as if both parties were residing in different registration districts.
- (5) The superintendent registrar must then, as soon as reasonably practicable—
- (a) file the certificate issued under this section and keep it with the records of the superintendent registrar’s office, and
 - (b) record in the marriage register—
 - (i) the fact that the certificate has been received, and
 - (ii) the date on which the certificate was received.
- (6) The superintendent registrar must also ensure the information recorded under subsection (5)(b) is open to inspection free of charge at all reasonable hours.]

Textual Amendments

- F1** Words in s. 39(1) substituted (27.3.2021 for specified purposes, 4.5.2021 in so far as not already in force) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2)(6)(a), **Sch. 1 para. 27(2)** (with [Sch. 2](#))
- F2** Words in s. 39(1) repealed (1.1.2001) by [1999 c. 33, s. 169\(1\)\(3\)](#), [Sch. 14 paras. 3, 21\(b\)](#), **Sch. 16**; [S.I. 2000/2698](#), **art. 2**
- F3** Words in s. 39(2) omitted (27.3.2021 for specified purposes, 4.5.2021 in so far as not already in force) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2)(6)(a), **Sch. 1 para. 27(3)(a)** (with [Sch. 2](#))
- F4** Words inserted (E.W.) by [Marriage Act 1983 \(c. 32, SIF 49:1\)](#), s. 1(7), **Sch. 1 para. 10(a)**
- F5** Words substituted (E.W.) by virtue of [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\)](#), s. 1(6), **Sch. 1 para. 6(a)**
- F6** Words in s. 39(2) substituted (27.3.2021 for specified purposes, 4.5.2021 in so far as not already in force) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2)(6)(a), **Sch. 1 para. 27(3)(b)** (with [Sch. 2](#))
- F7** S. 39(3)-(6) substituted for s. 39(3) (27.3.2021 for specified purposes, 4.5.2021 in so far as not already in force) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2)(6)(a), **Sch. 1 para. 27(4)** (with [Sch. 2](#))

Modifications etc. (not altering text)

- C1** Pt. 3 applied (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), **ss. 1(2)(a)**, 21(3); [S.I. 2014/93](#), **art. 3(a)**

Changes to legislation:

There are currently no known outstanding effects for the Marriage Act 1949, Section 39.