



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART III

### MARRIAGE UNDER SUPERINTENDENT REGISTRAR'S CERTIFICATE

#### *Marriages in registered buildings*

#### **44 Solemnization of marriage in registered building.**

- (1) Subject to the provisions of this section, where a notice of marriage and certificate issued by a superintendent registrar state that a marriage between the persons named therein is intended to be solemnized in a registered building, the marriage may be solemnized in that building according to such form and ceremony as those persons may see fit to adopt:

Provided that no marriage shall be solemnized in any registered building without the consent of the minister or of one of the trustees, owners, deacons or managers thereof, or in the case of a registered building of the Roman Catholic Church, without the consent of the officiating minister thereof.

- (2) Subject to the provisions of this section, a marriage solemnized in a registered building shall be solemnized with open doors in the presence of two or more witnesses and in the presence of either—
- (a) a registrar of the registration district in which the registered building is situated, or
  - (b) an authorised person whose name and address have been certified in accordance with the last foregoing section by the trustees or governing body of that registered building or of some other registered building in the same registration district.
- (3) Where a marriage is solemnized in a registered building each of the persons contracting the marriage shall, in some part of the ceremony and in the presence of the witnesses and the registrar or authorised person, make the following declaration:—

*Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.*

*Changes to legislation: Marriage Act 1949, Section 44 is up to date with all changes known to be in force on or before 30 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)*

“I do solemnly declare that I know not of any lawful impediment why I,*AB*, may not be joined in matrimony to*CD*”

and each of them shall say to the other:—

“I call upon these persons here present to witness that I,*AB*, do take thee,*CD*, to be my lawful wedded wife [*or*husband]”:

Provided that if the marriage is solemnized in the presence of an authorised person without the presence of a registrar, the persons to be married, instead of saying each to the other the last-mentioned form of words, may say:—

“I,*AB*, do take thee,*CD*, to be my wedded wife [*or*husband]”.

- (4) A marriage shall not be solemnized in a registered building without the presence of a registrar until duplicate marriage register books have been supplied by the Registrar General under Part IV of this Act to the authorised person or to the trustees or governing body of the building.
- (5) If the Registrar General is not satisfied with respect to any building registered or proposed to be registered for the solemnization of marriages therein that sufficient security exists for the due registration of marriages by an authorised person under Part IV of this Act and for the safe custody of marriage register books, he may in his discretion attach to the continuance of the registration, or to the registration, of the building a condition that no marriage may be solemnized therein without the presence of a registrar.

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

**C1** S. 44(3) applied by [Marriage \(Registrar General's Licence\) Act 1970 \(c. 34\), s. 10\(3\)](#)

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