

STATUTORY INSTRUMENTS

1986 No. 1622 (S. 125)

MARRIAGE

The Marriage (Prescription of Forms) (Scotland) Amendment Regulations 1986

Made - - - - 11th September 1986

Coming into Operation 1st November 1986

In exercise of the powers conferred on me by sections 3(1) and 26 of the Marriage (Scotland) Act 1977(a), and of all other powers enabling me in that behalf and with the approval of the Secretary of State under section 25 of that Act, I hereby make the following regulations:-

Citation and commencement

1. These regulations may be cited as the Marriage (Prescription of Forms) (Scotland) Amendment Regulations 1986 and shall come into operation on 1st November 1986.

Interpretation

2. In these regulations, unless the context otherwise requires -
“the principal regulations” means the Marriage (Prescription of Forms) (Scotland) Regulations 1977(b).

Amendment of principal regulations

3. In the marriage notice submitted to the district registrar under section 3(1) of the Marriage (Scotland) Act 1977 and set out in Schedule 1 to the principal regulations -

- (a) for the words “Permanent home address” there shall be substituted the words “Usual residence” and
- (b) for the declaration there shall be substituted the declaration set out in Schedule 1 to these regulations.

4. At the end of Schedule 5 to the principal regulations there shall be added Schedule 6 as set out in Schedule 2 to these regulations.

(a) 1977 c.15; section 3(1) was amended by paragraph 3 of Schedule 2 to the Marriage (Prohibited Degrees of Relationship) Act 1986 (c.16).

(b) S.I. 1977/1671.

C. M. Glennie,
Registrar General for Scotland.

New Register House,
Edinburgh.
10th September 1986.

Approved by the Secretary of State.

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St. Andrew's House,
Edinburgh.
11th September 1986.

Regulation 3(b)

SCHEDULE 1

“DECLARATION

I solemnly declare

1. that I am the person named at B2;
2. that I and the person named at Part D intend to be married on the date and at the place entered in Part A;
3. that there is no impediment caused by a relationship of consanguinity, affinity or adoption and that I know of no other legal impediment to our marriage;
4. that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
5. that any document submitted by me in accordance with Part E of this notice is genuine.

Signed

Date”

SCHEDULE 2

Regulation 4

“SCHEDULE 6

Declaration required under section 3(1)(d) of the Marriage (Scotland) Act 1977 where a marriage is proposed between parties related in a degree specified below*.

Bridegroom Bride

Surname
Christian or forenames
Date of birth
Usual residence

DECLARATION

I solemnly declare

(1) that I
(Enter full name and surname)

and the other person named above are related in the following degree:
.....and
(Insert whichever degree below applies)*

(2) that the younger of us has not at any time before attaining the age of 18 lived in the same household as the older of us and been treated by that person as a child of his or her family.

Signed

Date

*Degrees of relationship

- | | |
|-------------------------------------|------------------------------------|
| 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” |

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations amend the Marriage (Prescription of Forms) (Scotland) Regulations 1977 for three purposes.

1. The Marriage (Prohibited Degrees of Relationship) Act 1986 amends the Marriage (Scotland) Act 1977 to the effect that persons related to each other in certain degrees of affinity and intending to marry are required to make and give to the district registrar a new declaration and regulation 4 of and Schedule 2 to these regulations prescribe that declaration.

2. As a consequence of the amendment, the existing declaration in the marriage notice has to be amended and regulation 3(b) of and Schedule 1 to these regulations substitute a differently worded declaration in the marriage notice.

3. Regulation 3(a) makes an amendment for clarification to the entry in the marriage notice relating to residence.

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