
STATUTORY INSTRUMENTS

1990 No. 2592

MARRIAGE

**The Foreign Marriage (Armed Forces)
(Amendment No. 2) Order 1990**

Made - - - - - *19th December 1990*
Laid before Parliament *8th January 1991*
Coming into force - - - *1st February 1991*

At the Court at Buckingham Palace, the 19th day of December 1990

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers conferred on Her by section 22(1A) of the Foreign Marriage Act 1892(1), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Foreign Marriage (Armed Forces) (Amendment No. 2) Order 1990 and shall come into force on 1st February 1991.

2. For articles 1 and 2 of the Foreign Marriage (Armed Forces) Order 1964(2) there shall be substituted:—

“1.—(1) For the purposes of section 22(1A) of the Foreign Marriage Act 1892 (requirements for the validity of marriages solemnized by chaplains of Her Majesty's forces serving abroad and other persons) employment in any of the capacities described in Article 2 of this Order shall, in the case of persons serving Her Majesty or otherwise employed in the territory where the marriage is solemnized who, by virtue of Part II of the Army Act 1955(3), Part II of the Air Force Act 1955(4) or the Naval Discipline Act 1957(5) are civilians subject to military, air force or naval law when not on active service, be employment in a prescribed capacity.

(1) 1892 c. 23; section 22 is amended by section 2 of the Foreign Marriage Act 1947 (c. 33) and section 6 of the Foreign Marriage (Amendment) Act 1988 (c. 44).
(2) S.I. 1964/1000; the relevant amending instrument is S.I. 1990/599.
(3) 1955 c. 18.
(4) 1955 c. 19.
(5) 1957 c. 53.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) For the said purposes the conditions prescribed in Article 3 of this Order shall be the prescribed conditions.

2. The capacities referred to in Article 1 of this Order are capacities involving the performance of any of the following functions, namely—

administrative, executive, judicial, clerical, typing, duplicating, machine operating, paper keeping, messengerial, professional, instructional, scientific, experimental, technical, industrial or labouring functions.”

3. The Foreign Marriage (Armed Forces) (Amendment) Order 1990(6) is revoked.

G. I. de Deney
Clerk of the Privy Council

(6) S.I. 1990/5 This Statutory Instrument has been made in consequence of a defect in S.I. 1990/599 and is being issued free of charge to all known recipients of that Statutory Instrument.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under the Foreign Marriage Acts 1892 to 1947 as amended by the Foreign Marriage (Amendment) Act 1988. It replaces the Foreign Marriage (Armed Forces) (Amendment) Order 1990 (S.I.1990/599).

Section 22 of the Foreign Marriage Act 1892, as amended by the Foreign Marriage Act 1947 and the Foreign Marriage (Amendment) Act 1988, provides that marriages celebrated before a chaplain in foreign territory shall be as valid as if celebrated in the United Kingdom provided one of the parties is a member of the naval, military or air forces of Her Majesty, or is employed in that territory in such other capacity as may be prescribed, or is a child of such a person, and provided such other conditions as may be prescribed are complied with.

This Order extends the list of capacities prescribed in the Foreign Marriage (Armed Forces) Order 1964, so that section 22 applies to civilians who, by virtue of the Service Discipline Acts, are subject to naval, military or air force law when not on active service.