
STATUTORY INSTRUMENTS

1997 No. 2349 (S.158)

MARRIAGE

**The Marriage (Prescription of
Forms) (Scotland) Regulations 1997**

Made - - - - - *24th September 1997*

Coming into force - - - - - *1st January 1998*

The Registrar General, in exercise of the powers conferred upon him by sections 3(1), 4(1), 6(1), 7(2), 16 and 26, of the Marriage (Scotland) Act 1977⁽¹⁾, and of all other powers enabling him in that behalf and with the approval of the Secretary of State under section 25 of that Act, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Marriage (Prescription of Forms) (Scotland) Regulations 1997 and shall come into force on 1st January 1998.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the Act” means the Marriage (Scotland) Act 1977;

“district registrar” means the registrar for the registration district in which the marriage is to be or has been solemnised;

“marriage notice” means a notice of intention to marry;

“marriage notice book” means a book in which are entered particulars extracted from marriage notices and from approved certificates for marriage issued in any part of the United Kingdom other than Scotland.

(2) Any reference in these Regulations—

(a) to a numbered section is to a section bearing that number in the Act; and

(b) to a numbered Schedule is to a Schedule bearing that number in these Regulations.

(1) 1977 c. 15; section 3(1) was amended by paragraph 3, and section 6(1) by paragraph 5, of Schedule 2 to the Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16); section 26 contains a definition of “prescribed” relevant to the exercise of statutory powers under which these Regulations are made.

Forms etc. for use in connection with preliminaries to and registration of marriage

3. The notice prescribed for the purposes of section 3(1) shall be in the form set out in Schedule 1.
4. The declaration prescribed for the purposes of section 3(1)(d) shall be in the form set out in Schedule 2.
5. The prescribed particulars to be extracted from a marriage notice or an approved certificate and entered in the marriage notice book for the purposes of section 4(1) shall be—
 - (a) the surname and name;
 - (b) the address;
 - (c) the marital status;
 - (d) the date of birth; and
 - (e) the proposed date of the marriage,of the person who has submitted the notice or approved certificate.
6. The Marriage Schedule prescribed for the purposes of section 6(1) shall be in the form set out in Schedule 3.
7. The certificate prescribed for the purposes of section 7(2) shall be in the form set out in Schedule 4.
8. The notices prescribed for the purposes of section 16(1) and (2) shall be in the forms set out in Schedules 5 and 6 respectively.

Revocation

9. The following Regulations are hereby revoked so far as still in force:—
 - (a) the Marriage (Prescription of Forms) (Scotland) Regulations 1977(2);
 - (b) the Marriage (Prescription of Forms) (Scotland) Amendment Regulations 1986(3);
 - (c) the Marriage (Prescription of Forms) (Scotland) Amendment (No. 2) Regulations 1986(4);
 - (d) the Marriage (Prescription of Forms) (Scotland) Amendment Regulations 1995(5).

New Registrar House,
Edinburgh
22nd September 1997

James Meldrum
Registrar General for Scotland

(2) S.I.1977/1671.
(3) S.I. 1986/1622; revoked in part by S.I. 1995/3156.
(4) S.I. 1986/1954.
(5) S.I. 1995/3156.

Approved by the Secretary of State

St Andrew's House,
Edinburgh
24th September 1997

Henry B McLeish
Minister of State, Scottish Office

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

SCHEDULE 1

Regulation 3 Form M10

MARRIAGE NOTICE – SCOTLAND



Regulation 3
Form M10

SCHEDULE 1

MARRIAGE NOTICE - SCOTLAND

(Section 3(1) of the Marriage (Scotland) Act 1977)

Use a pen to fill in the form, all in BLOCK CAPITALS except for your signature at the end.

A About the proposed marriage

1. Date of marriage	Year	Month	Day	This space for registrars' use only Entry number in Marriage Notice Book _____ Date documents returned _____
2. Place of marriage				

B About yourself

3. Forename(s)				
Surname(s)				
4. Present or last occupation				
5. Retired (tick box)		Yes <input type="checkbox"/>	No <input type="checkbox"/>	6. Sex (tick box)
				Male <input type="checkbox"/>
				Female <input type="checkbox"/>
7. Marital status (tick box)		Single <input type="checkbox"/>	Widowed <input type="checkbox"/>	Divorced <input type="checkbox"/>
				8. Date of Birth
				Year
				Month
				Day
9. Country of birth		10. Country of residence		11. Nationality
12. Usual residence				
Postcode				

C About your father

13. (a) Forename(s)				
(b) Surname(s) at time of your birth				
(c) Surname(s) now (or at date of his death) if different from (b)				
14. Present or last occupation				
15. Retired (tick box)		Yes <input type="checkbox"/>	No <input type="checkbox"/>	16. Is he still living? (tick box)
				Yes <input type="checkbox"/>
				No <input type="checkbox"/>

D About your mother

17. (a) Forename(s)				
(b) Surname(s) at time of your birth				
(c) Surname(s) now (or at date of her death) if different from (b)				
18. Maiden surname				
19. Present or last occupation				
20. Retired (tick box)		Yes <input type="checkbox"/>	No <input type="checkbox"/>	21. Is she still living? (tick box)
				Yes <input type="checkbox"/>
				No <input type="checkbox"/>

E About the celebrant (complete this part if you intend to have a religious marriage)

22. What is the name of the person who is to solemnise the marriage?				
and				
23. What is the name of the denomination or religious body to which (s)he is attached?				

F About the other party to the marriage

24. Forename(s) in full				
Surname(s)				
25. Usual residence				
Postcode				

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G Documents to be submitted by you with this Notice

<p>26. FOR ALL PERSONS</p> <p>Is your birth certificate enclosed? <i>(tick box)</i></p> <p style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </p>	<p><i>If you are unable to produce your birth certificate, state the reason here.</i></p>
<p>27. IF YOU ARE DIVORCED OR YOUR PREVIOUS MARRIAGE WAS ANNULLED</p> <p>Is your decree of divorce or annulment enclosed? <i>(tick box)</i></p> <p style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </p>	<p><i>If you are unable to produce the official decree of divorce or annulment, state the reason for not doing so. The registrar will require proof of the termination of the earlier marriage.</i></p>
<p>28. IF YOU ARE A WIDOW OR WIDOWER</p> <p>Is the death certificate of your former spouse enclosed? <i>(tick box)</i></p> <p style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </p>	<p><i>If you are unable to produce a death certificate of your previous spouse, state the reason for not doing so. The registrar may require proof of the death.</i></p>
<p>29. IF YOU ARE A PERSON WHO IS SUBJECT TO THE MARRIAGE LAWS OF A COUNTRY OUTSIDE THE UNITED KINGDOM</p> <p>Have you enclosed a certificate of no impediment to marriage issued by a competent authority in that country? <i>(tick box)</i></p> <p style="text-align: center;"> <input type="checkbox"/> YES <input type="checkbox"/> NO </p>	<p><i>Most European countries issue certificates of no impediment but other countries may not do so. If for any reason you are unable to enclose such a certificate, state the reason. If you have resided in the United Kingdom for at least two years immediately before submitting this notice, you need not submit a certificate of no impediment but should state how long you have been resident in the United Kingdom.</i></p>

30. DECLARATION

I solemnly declare

- (1) that I am the person named at B3;
- (2) that I and the person named at Part F 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 each document submitted by me in accordance with Part G of this notice is genuine.

Signed date

Note: Any person who supplies false information to a registrar or uses, gives or sends any certificate, document or declaration required for the purposes of this marriage notice which is false or has been forged in any way is liable to prosecution.

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SCHEDULE 2

Regulation 4 Form DSR

DECLARATION WHERE A MARRIAGE IS PROPOSED BETWEEN PARTIES RELATED IN A DEGREE SPECIFIED BELOW*

**Regulation 4
Form DSR**

SCHEDULE 2



DECLARATION WHERE A MARRIAGE IS PROPOSED BETWEEN PARTIES RELATED IN A DEGREE SPECIFIED BELOW*

(Section 3(1)(d) of the Marriage (Scotland) Act 1977)

	Bridegroom	Bride
Forename(s)		
Surname(s)		
Date of birth		
Usual Residence		

DECLARATION

I solemnly declare

(1) that I
(Enter full forename(s) and surname(s))

and the other person named above are related in the following degree:

..... and
(Insert whichever degree below applies)*

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

Signed Date

* Degrees of relationship by affinity

- | | |
|-------------------------------------|-----------------------------------|
| 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 |

WARNING: A person who gives false information may be found guilty of a criminal offence.

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SCHEDULE 3

Regulation 6

MARRIAGE SCHEDULE

SCHEDULE 3

Regulation 6

MARRIAGE SCHEDULE

(Section 6(1) of the Marriage (Scotland) Act 1977)



This is not a Marriage Certificate. In the case of a religious marriage it must be returned to the issuing registrar within three days of the marriage to enable the registrar to register the marriage.

1. When married									
2. Where married									
3. Forename(s) Surname(s)	Bridegroom					Bride			
	<i>(Signature)</i>					<i>(Signature)</i>			
4. Occupation									
5. Marital status	6. Date of birth	Year	Month	Day		Year	Month	Day	
7. Country of birth									
8. Usual residence									
9. Father's forename(s) surname(s) and occupation									
10. Mother's forename(s) maiden surname surname(s) and occupation									
11. Person solemnising the marriage	<i>(Signature)</i>								
	Full name in block capitals								
	Designation								
12. Witnesses with addresses	<i>(Signature)</i>								
	Full name in block capitals								
	Address								
	<i>(Signature)</i>								
	Full name in block capitals								
13. When registered	Year	Month	Day	14. _____ Registrar					
	15.								

MARRIAGE NOTICE NO.
DISTRICT NO.
YEAR
ENTRY NO.

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SCHEDULE 4

Regulation 7 Form M1

CERTIFICATE OF NO IMPEDIMENT



SCHEDULE 4

**Regulation 7
Form M1**

CERTIFICATE OF NO IMPEDIMENT

(Section 7 of the Marriage (Scotland) Act 1977)

Name

Address Postcode

The above applicant has supplied to me the following information concerning his or her intended marriage.

	Bridegroom	Bride
1. Forename(s)		
2. Surname(s)		
3. Date of birth		
4. Nationality		
5. Country of birth		
6. Country of residence		
7. Place of usual residence		
8. Marital status		
9. Date of proposed marriage		
10. Place of proposed marriage		

I hereby certify that

- the applicant has met the legal requirements of the law of Scotland as set out in the Marriage (Scotland) Act 1977;
- the applicant is not known to me to be subject to any legal incapacity under the law of Scotland which would prevent the applicant from marrying;
- it appears to me that there is **NO IMPEDIMENT** to the proposed marriage as far as the applicant is concerned.

Signature

Registrar for the District of in Scotland

THIS CERTIFICATE IS VALID FOR THREE MONTHS FROM

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SCHEDULE 5

Regulation 8 Form 19

FAILURE TO RETURN MARRIAGE SCHEDULE

**Regulation 8
Form 19**

SCHEDULE 5

FAILURE TO RETURN MARRIAGE SCHEDULE

(Section 16(1) of the Marriage (Scotland) Act 1977)



From the Registrar of Births, Deaths and Marriages, District of
(Address)
..... Postcode

To
(Address)
..... Postcode

The Marriage (Scotland) Act 1977 provides that where after the expiration of 21 days from the date of marriage as entered in the Marriage Schedule that Schedule has not been delivered to the registrar, he may serve notice on either of the parties to the marriage requiring that party to deliver the said Schedule, or send it by post to the registrar. As you are one of the parties to the marriage
on (date)
at (place)

I hereby serve this notice on you and require you to return the Schedule to me at this office by delivering it, or sending it by post

before (date).....
in order that the particulars contained in the Schedule may be entered in the Register of Marriages.

(signature) Registrar
(date)

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SCHEDULE 6

Regulation 8 Form 20

MARRIAGE NOTICE – SCOTLAND

Regulation 8
Form 20



SCHEDULE 6

FAILURE TO RETURN MARRIAGE SCHEDULE
FINAL NOTICE

(Section 16(2) of the Marriage (Scotland) Act 1977)

From The Registrar of Births, Deaths and Marriages, District of
(Address)
..... Postcode

To
(Address)
..... Postcode

On (date)
a notice under section 16(1) of the Marriage (Scotland) Act 1977 was served on you requesting that you
return to this office on or before
the Marriage Schedule issued in respect of your marriage.

You have failed to comply with the notice, and I hereby serve this notice on you and require you to
attend this office

before (date).....
for the purpose of delivering the Schedule, as required by law.

If you fail to attend as required you may be guilty of an offence under section 24(2)(e) of the Marriage
(Scotland) Act 1977.

(Signature) Registrar
(date)

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EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations consolidate with only minor drafting amendments and revoke the Marriage (Prescription of Forms) (Scotland) Regulations 1977 and subsequent amending instruments.