14. This Act shall come into operation on the first day of April next after the passing thereof, or on such day, not more than three months later, as may be fixed by Her Majesty in Council. Commencement of Act.

15. This Act may be cited as the Elementary School Teachers (Superannuation) Act, 1898. Short title.

CHAPTER 58.

An Act to amend the Law relating to the Attendance of Registrars at Marriages in Nonconformist Places of Worship. [12th August 1898.]

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1.) This Act may be cited as the Marriage Act, 1898, and may be cited with the Marriage Acts, 1811 to 1886. Short title and construction.

(2.) The term "registered building," wherever used in this Act, shall mean any building registered for solemnising marriages therein under the Marriage Act, 1836. 6 & 7 Will. 4. c. 85.

(3.) For the purposes of this Act, as applied to Roman Catholic registered buildings, the words "trustees or governing body" shall include the bishop or vicar general of the diocese.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. This Act shall come into operation on the first day of April one thousand eight hundred and ninety-nine. Commencement of Act.

4. Notwithstanding anything contained in section twenty of the Marriage Act, 1836, marriages may be lawfully solemnised in the registered building named in the notice of the marriages and in the superintendent registrar's certificate or certificate and licence issued pursuant to the provisions of the said Act, or any Act amending the same, between and by the parties described in the notice and certificate or certificate and licence, according to such form and ceremony as they may see fit to adopt, without the presence of any registrar, but in the presence of such duly authorised person as herein after mentioned, and subject in all other respects, excepting as is herein provided, to all the conditions and provisoes contained in the said Act and any Acts amending the same. Solemnisation of marriages without presence of registrar.

5.—(1.) Whenever a marriage is intended to be solemnised in a registered building, and the parties intending to contract the marriage have duly fulfilled all the conditions from time to time required by law to entitle the superintendent registrar to issue a certificate or certificate and licence authorising the marriage, and the superintendent registrar does not receive notice, at the time Notices and forms.

when the form of notice of marriage as required by law is given to him, that the parties intending to contract the marriage require a registrar to be present at the marriage, the superintendent registrar shall, subject to the provisions of this Act, issue under his hand to one of those parties a certificate, or certificate and licence, as the case may require, in accordance with the forms set forth in Schedules B. and C. annexed to the Marriage and Registration Act, 1856.

19 & 20 Vict. c. 119.

(2.) The superintendent registrar shall at the same time give to one of the parties intending to contract the marriage printed instructions in the prescribed form for the due solemnisation of the marriage.

Declarations to be made in presence of authorised person.

6.—(1.) Where a marriage is solemnised under this Act each of the parties contracting the marriage shall in some part of the ceremony make the following declarations :—

"I do solemnly declare that I know not of any lawful impediment why I, *A.B.*, may not be joined in matrimony to *C.D.*"

And each of the parties shall say to the other the words following :—

"I call upon these persons here present to witness that I, *A.B.*, do take thee, *C.D.*, to be my lawful wedded wife [or husband]," or in lieu thereof the words following :—

"I, *A.B.*, do take thee, *C.D.*, to be my wedded wife [or husband]."

(2.) The aforesaid declarations shall be made in the presence of the authorised person herein-after mentioned and two or more witnesses.

(3.) No marriage under this Act shall be solemnised in any registered building except in the presence of a person (in this Act referred to as an authorised person) certified as having been duly authorised for the purpose by the trustees or other governing body of the building, or of some registered building in the same registration district.

(4.) Where a person has been so authorised in respect of any registered building, the trustees or governing body of that building shall, within the prescribed time and in the prescribed manner, certify the name and address of the person or persons authorised for that building to the Registrar-General and to the superintendent registrar of the district in which the building is situate.

Register books and returns.

7.—(1.) In the case of the solemnisation of a marriage under this Act, the certificate or certificate and licence required by law shall be delivered to the authorised person in whose presence the marriage is solemnised, who shall, immediately after the marriage, register in duplicate in two of the marriage register books provided for the purpose the several particulars relating to the marriage according to the form in Schedule C. annexed to the Births and Deaths Registration Act, 1836, and every such entry shall be signed by the authorised person, and by the parties to the marriage, and by two witnesses; and all such entries shall be

6 & 7 Will. 4. c. 86.

made in consecutive order from the beginning to the end of each book, and the numbers of the place of entry of each duplicate marriage register book shall be the same.

(2.) The Registrar-General shall, when so requested by the authorised person, or the trustees or governing body of any registered building in which marriages may be solemnised under this Act, supply a sufficient number, in duplicate, of such marriage register books and forms for certified copies thereof as may be required for the purposes of this Act.

(3.) A marriage under this Act shall not be solemnised in any registered building until duplicate register books have been so supplied.

(4.) If the Registrar-General is not satisfied with respect to any building registered, or proposed to be registered, for the solemnisation of marriages therein, that sufficient security exists for the due registration of marriages under this Act and for the safe custody of marriage register books, he may in his discretion attach to the continuance on the register or registration of the building a condition that no marriages under this Act shall be solemnised therein.

(5.) Section thirty-five of the Births and Deaths Registration Act, 1836, shall apply in the case of a person having the custody of a marriage register book under rules made in pursuance of this Act, in like manner as it applies in the case of a rector, vicar, or curate. 6 & 7 Will. 4. c. 86.

8. The certificate or certificate and licence, as the case may be, shall be kept in the prescribed custody, and shall be produced with the marriage register books as and when required by the Registrar-General. Custody of certificate and licence.

9. The fees payable to the superintendent registrars under the Marriage Act, 1836, and the Marriage and Registration Act, 1856, in respect of marriages, whether with or without licence, shall be payable in respect of marriages under this Act. Fees. 6 & 7 Will. 4. c. 85. 19 & 20 Vict. c. 119.

10. Where the contracting parties give notice to the superintendent registrar that it is the wish of the parties to be married in the presence of the district registrar, nothing in this Act contained shall relieve the registrar from attendance at such marriage as now by law required and the fulfilment of the duties now imposed by law, and in case of such attendance the registrar shall be entitled to the fees now authorised by law. Saving for right to require attendance of registrar.

11.—(1.) The authorised person for a registered building shall, in the months of April, July, October, and January respectively, make and deliver to the superintendent registrar of the district in which the registered building is situate, on forms supplied by the Registrar-General, a true copy certified by him under his hand of all the entries of marriages in the register book since the date of the last certified copy, and if there has been no marriage registered in the book since that date, shall certify the fact under his hand Provisions as to registers and certified copies.

on a form to be supplied by the Registrar-General, and shall in accordance with rules under this Act keep the marriage register books safely until they are filled.

(2.) The superintendent registrar shall pay or cause to be paid to the authorised person the sum of sixpence for every entry contained in the said certified copy, and this sum shall be reimbursed to the superintendent registrar by the board of guardians of the union for which he is appointed.

(3.) When any such register book is filled, one copy thereof shall be delivered to the superintendent registrar of the district in which the registered building is situate, and the other shall be kept in the prescribed custody.

7 Will. 4. and 1 Vict. c. 22.

(4.) Section twenty-nine of the Births and Deaths Registration Act, 1837, shall apply in the case of an authorised person in like manner as it applies in the case of a rector, vicar, or curate.

(5.) Every superintendent registrar shall four times in every year send to the Registrar-General the certified copies received by him under this section in the same manner and under the same conditions as are directed with respect to the certified copies of marriages solemnised in churches and chapels under the Births and Deaths Registration Act, 1836.

6 & 7 Will. 4. c. 86.

Offences.

12. If any authorised person refuses or fails to comply with this Act, or the enactments or regulations for the time being in force with respect to the solemnisation and registration of marriages, he shall be guilty of an offence under this Act, and shall be liable, on summary conviction, to a penalty not exceeding ten pounds, or on conviction on indictment to imprisonment with or without hard labour for a term not exceeding two years or to a fine not exceeding fifty pounds, and shall, upon conviction, cease to be an authorised person.

Saving for Society of Friends and Jews.

13. Nothing in this Act shall be taken to relate or have any reference to marriages solemnised in accordance with the practice and usages of the Society of Friends or of persons professing the Jewish religion.

Provisions for marriage in the Welsh tongue.

14. Section twenty-three of the Births and Deaths Registration Act, 1837, relating to marriages in the Welsh tongue, shall apply in the case of marriages under this Act.

Repeal. 6 & 7 Will. 4. c. 85.

15. So much of sections thirty-nine and forty-two of the Marriage Act, 1836, as punishes the solemnisation of or renders void any marriage by reason of the absence of the registrar is hereby repealed in respect of any marriage authorised by and solemnised in accordance with this Act.

Rules.

16. The Registrar-General may, with the approval of the Local Government Board, make rules with respect to—

(*a.*) The forms to be used for the purposes of this Act;

(*b.*) The custody of documents required for the purposes of this Act;

(*c.*) The duties of registrars, superintendent registrars, and authorised persons under this Act;

(*d.*) Any matter which may under this Act be prescribed;

and generally for carrying into effect the provisions of this Act.

Temporary provision as to fees.

17.—(1.) On the issue of any certificate for a marriage to be solemnised in accordance with this Act, the parties to the marriage shall pay to the superintendent registrar of the district in which the registered building selected for the marriage is situate, an additional fee of six shillings and sixpence if the marriage is by licence, and otherwise a fee of four shillings. Provided that not more than one such fee shall be paid in respect of any one marriage.

(2.) Where there is only one registrar of marriages for the district, who was appointed before the passing of this Act, the superintendent registrar shall, at the end of each quarter, pay the fees so received by him to that registrar, and where there are more such registrars he shall, at the end of each quarter, divide the amount of the fees so received by him among those registrars in accordance with rules to be made under this Act.

(3.) This section shall not continue in force for more than ten years from the commencement of this Act, and shall not apply to a district unless there is acting therein a registrar of marriages appointed before the passing of this Act.

CHAPTER 59.

An Act to extend to Borough and Urban District Councils the powers to guarantee Postal and Telegraphic Facilities already possessed by Rural Councils.

[12th August 1898.]

Borough and urban district councils to have power to guarantee postal and telegraphic facilities.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Where the council of any borough or any urban district consider that it would be beneficial to the inhabitants of the borough or district that any post or telegraph office should be established or any additional facilities (postal or other) provided by the Postmaster-General in or for the purposes of such borough or district, the council may undertake to pay the Postmaster-General any loss he may sustain by reason of the establishment or maintenance of the office or the provision of the facilities, and any expenses incurred under this Act may be paid in the case of a borough out of the borough fund or borough rate, and in case of any urban district not a borough out of the rate out of which the general expenses of the council under the Public Health Act, 1875, are defrayed.