CHAPTER 76

Marriage Act, 1949

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An Act to consolidate certain enactments relating to the solemnization and registration of marriages in England with such corrections and improvements as may be authorised under the Consolidation of Enactments (Procedure) Act, 1949.

[24th November 1949.]

BE it enacted by the King'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:—

PART I.

RESTRICTIONS ON MARRIAGE.

Marriages within prohibited degrees.

1.—(1) A marriage solemnized between a man and any of the persons mentioned in the first column of Part I of the First Schedule to this Act, or between a woman and any of the persons mentioned in the second column of the said Part I, shall be void.

PART I. —*cont.*

(2) A marriage solemnized between a man and any of the persons mentioned in the first column of Part II of the said First Schedule, or between a woman and any of the persons mentioned in the second column of the said Part II, shall not be void or voidable by reason only of affinity.

(3) A marriage which by virtue of the last foregoing subsection is not void or voidable if solemnized after the decease of any person shall be void if solemnized during the lifetime of that person.

Marriages of persons under sixteen.

2. A marriage solemnized between persons either of whom is under the age of sixteen shall be void.

Marriages of persons under twenty-one.

3.—(1) Where the marriage of an infant, not being a widower or widow, is intended to be solemnized on the authority of a certificate issued by a superintendent registrar under Part III of this Act, whether by licence or without licence, the consent of the person or persons specified in the Second Schedule to this Act shall be required:

Provided that—

(*a*) if the superintendent registrar is satisfied that the consent of any person whose consent is so required cannot be obtained by reason of absence or inaccessibility or by reason of his being under any disability, the necessity for the consent of that person shall be dispensed with, if there is any other person whose consent is also required; and if the consent of no other person is required, the Registrar General may dispense with the necessity of obtaining any consent, or the court may, on application being made, consent to the marriage, and the consent of the court so given shall have the same effect as if it had been given by the person whose consent cannot be so obtained;

(*b*) if any person whose consent is required refuses his consent, the court may, on application being made, consent to the marriage, and the consent of the court so given shall have the same effect as if it had been given by the person whose consent is refused.

(2) The last foregoing subsection shall apply to marriages intended to be solemnized on the authority of a common licence, with the substitution of references to the ecclesiastical authority by whom the licence was granted for references to the superintendent registrar, and with the substitution of a reference to the Master of the Faculties for the reference to the Registrar General.

(3) Where the marriage of an infant, not being a widower or widow, is intended to be solemnized after the publication of banns of matrimony then, if any person whose consent to

PART I. —*cont.*

the marriage would have been required under this section in the case of a marriage intended to be solemnized otherwise than after the publication of the banns, openly and publicly declares or causes to be declared, in the church or chapel in which the banns are published, at the time of the publication, his dissent from the intended marriage, the publication of banns shall be void.

(4) A clergyman shall not be liable to ecclesiastical censure for solemnizing the marriage of an infant after the publication of banns without the consent of the parents or guardians of the infant unless he had notice of the dissent of any person who is entitled to give notice of dissent under the last foregoing subsection.

(5) For the purposes of this section, " the court " means the High Court, the county court of the district in which any respondent resides, or a court of summary jurisdiction, and rules of court may be made for enabling applications under this section—

(*a*) if made to the High Court, to be heard in chambers;

(*b*) if made to the county court, to be heard and determined by the registrar subject to appeal to the judge;

(*c*) if made to a court of summary jurisdiction, to be heard and determined otherwise than in open court,

and shall provide that, where an application is made in consequence of a refusal to give consent, notice of the application shall be served on the person who has refused consent.

(6) Nothing in this section shall dispense with the necessity of obtaining the consent of the High Court to the marriage of a ward of court.

Hours for solemnization of marriages.

4. A marriage may be solemnized at any time between the hours of eight in the forenoon and six in the afternoon.

PART II.

MARRIAGE ACCORDING TO RITES OF THE CHURCH OF ENGLAND.

Preliminary.

Methods of authorising marriages.

5. A marriage according to the rites of the Church of England may be solemnized—

(*a*) after the publication of banns of matrimony;

(*b*) on the authority of a special licence of marriage granted by the Archbishop of Canterbury or any other person by virtue of the Ecclesiastical Licences Act, 1533 (in this Act referred to as a " special licence ");

PART II. —*cont.*

(*c*) on the authority of a licence of marriage (other than a special licence) granted by an ecclesiastical authority having power to grant such a licence (in this Act referred to as a "common licence"); or

(*d*) on the authority of a certificate issued by a superintendent registrar under Part III of this Act.

Marriage by banns.

Place of publication of banns.

6.—(1) Subject to the provisions of this Act, where a marriage is intended to be solemnized after the publication of banns of matrimony, the banns shall be published—

(*a*) if the persons to be married reside in the same parish, in the parish church of that parish;

(*b*) if the persons to be married do not reside in the same parish, in the parish church of each parish in which one of them resides:

Provided that if either of the persons to be married resides in a chapelry or in a district specified in a licence granted under section twenty of this Act, the banns may be published in an authorised chapel of that chapelry or district instead of in the parish church of the parish in which that person resides.

(2) In relation to a person who resides in an extra-parochial place, the last foregoing subsection shall have effect as if for references to a parish there were substituted references to that extra-parochial place, and as if for references to a parish church there were substituted references to an authorised chapel of that place.

(3) For the purposes of this section, any parish in which there is no parish church or chapel belonging thereto or no church or chapel in which divine service is usually solemnized every Sunday, and any extra-parochial place which has no authorised chapel, shall be deemed to belong to any adjoining parish or chapelry.

(4) Banns of matrimony may be published in any parish church or authorised chapel which is the usual place of worship of the persons to be married or of one of them although neither of those persons resides in the parish or chapelry to which the church or chapel belongs:

Provided that the publication of banns by virtue of this subsection shall be in addition to and not in substitution for the publication of banns required by subsection (1) of this section.

Time and manner of publication of banns.

7.—(1) Subject to the provisions of section nine of this Act, banns of matrimony shall be published on three Sundays preceding the solemnization of the marriage during morning service or, if there is no morning service on a Sunday on which the banns are to be published, during evening service.

PART II. —*cont.*

(2) Banns of matrimony shall be published in an audible manner and in accordance with the form of words prescribed by the rubric prefixed to the office of matrimony in the Book of Common Prayer, and all the other rules prescribed by the said rubric concerning the publication of banns and the solemnization of matrimony shall, so far as they are consistent with the provisions of this Part of this Act, be duly observed.

(3) The parochial church council of a parish shall provide for every church and chapel in the parish in which marriages may be solemnized, a register book of banns made of durable materials and marked in the manner directed by section fifty-four of this Act for the register book of marriages, and all banns shall be published from the said register book of banns by the officiating clergyman, and not from loose papers, and after each publication the entry in the register book shall be signed by the officiating clergyman, or by some person under his direction.

(4) Any reference in the last foregoing subsection to a parochial church council shall, in relation to an authorised chapel in an extra-parochial place, be construed as a reference to the chapel warden or other officer exercising analogous duties in the chapel or, if there is no such officer, such person as may be appointed in that behalf by the bishop of the diocese.

Notice to clergyman before publication of banns.

8. No clergyman shall be obliged to publish banns of matrimony unless the persons to be married, at least seven days before the date on which they wish the banns to be published for the first time, deliver or cause to be delivered to him a notice in writing, dated on the day on which it is so delivered, stating the christian name and surname and the place of residence of each of them, and the period during which each of them has resided at his or her place of residence.

Persons by whom banns may be published.

9.—(1) Subject to the provisions of this section and of section fourteen of this Act, it shall not be lawful for any person other than a clergyman to publish banns of matrimony.

(2) Where on any Sunday in any church or other building in which banns of matrimony may be published a clergyman does not officiate at the service at which it is usual in that church or building to publish banns, the banns may be published—

(*a*) by a clergyman at some other service at which banns of matrimony may be published ; or

(*b*) by a layman during the course of a public reading authorised by the bishop of the diocese of a portion or portions of the service of morning or evening prayer, the public reading being at the hour when

PART II. —*cont.*

the service at which it is usual to publish banns is commonly held or at such other hour as the bishop may authorise:

Provided that banns shall not be published by a layman unless the incumbent or minister in charge of the said church or building, or some other clergyman nominated in that behalf by the bishop, has made or authorised to be made the requisite entry in the register book of banns of the said church or building.

(3) Where a layman publishes banns of matrimony by virtue of this section the layman shall sign the register book of banns provided under section seven of this Act and for that purpose shall be deemed to be the officiating clergyman within the meaning of that section.

Publication of banns commenced in one church and completed in another.

10.—(1) Where the publication of banns of matrimony has been duly commenced in any church, the publication may be completed in the same church or in any other church which, by virtue of the Union of Benefices Measure, 1923, or the New Parishes Measure, 1943, has at the time of the completion taken the place of the first-mentioned church for the purpose of publication of banns of matrimony either generally or in relation to the parties to the intended marriage.

(2) Where the publication of banns of matrimony has been duly commenced in any building which by virtue of a reorganisation scheme under the Reorganisation Areas Measure, 1944, ceases to be a parish church or, as the case may be, ceases to be licensed for marriages, the publication may be completed in such other building, being either a parish church or a building licensed for marriages, as may be directed by the bishop of the diocese to take the place of the first-mentioned building for the purposes of the publication of banns.

Certificates of publication of banns.

11.—(1) Where a marriage is intended to be solemnized after the publication of banns of matrimony and the persons to be married do not reside in the same parish or other ecclesiastical district, a clergyman shall not solemnize the marriage in the parish or district in which one of those persons resides unless there is produced to him a certificate that the banns have been published in accordance with the provisions of this Part of this Act in the parish or other ecclesiastical district in which the other person resides.

(2) Where a marriage is intended to be solemnized in a church or chapel of a parish or other ecclesiastical district in which neither of the persons to be married resides, after the publication of banns therein by virtue of subsection (4) of section six of this Act, a clergyman shall not solemnize the marriage unless there is produced to him—

(*a*) if the persons to be married reside in the same parish or other ecclesiastical district, a certificate that the

banns have been published in accordance with the provisions of this Part of this Act in that parish or district; or

(*b*) if the persons to be married do not reside in the same parish or other ecclesiastical district, certificates that the banns have been published as aforesaid in each parish or district in which one of them resides.

(3) Where banns are published by virtue of subsection (3) of section six of this Act in a parish or chapelry adjoining the parish or extra-parochial place in which the banns would otherwise be required to be published, a certificate that the banns have been published in that parish or chapelry shall have the like force and effect as a certificate that banns have been published in a parish in which one of the persons to be married resides.

(4) Any certificate required under this section shall be signed by the incumbent or minister in charge of the building in which the banns were published or by a clergyman nominated in that behalf by the bishop of the diocese.

Solemnization of marriage after publication of banns.

12.—(1) Subject to the provisions of this Part of this Act, where banns of matrimony have been published, the marriage shall be solemnized in the church or chapel or, as the case may be, one of the churches or chapels in which the banns have been published.

(2) Where a marriage is not solemnized within three months after the completion of the publication of the banns, that publication shall be void and no clergyman shall solemnize the marriage on the authority thereof.

Publication of banns in Scotland, Northern Ireland or Republic of Ireland.

13. Where a marriage is intended to be solemnized in England, after the publication of banns of matrimony, between parties of whom one is residing in England and the other is residing in Scotland, Northern Ireland or the Republic of Ireland, then, if banns have been published or proclaimed in any church of the parish or place in which that other party is residing according to the law or custom there prevailing, a certificate given in accordance with that law or custom that the banns have been so published or proclaimed shall as respects that party be sufficient for the purposes of section eleven of this Act, and the marriage shall not be void by reason only that the banns have not been published in the manner required for the publication of banns in England.

Publication of banns on board His Majesty's ships.

14.—(1) Where a marriage is intended to be solemnized in England, after the publication of banns of matrimony, between parties of whom one is residing in England and the other is an officer, seaman or marine borne on the books of one of His Majesty's ships at sea, the banns may be published on three successive Sundays during morning service on board

PART II. —*cont.*

that ship by the chaplain, or, if there is no chaplain, by the captain or other officer commanding the ship, and, where banns have been so published, the person who published them shall, unless the banns have been forbidden on any of the grounds on which banns may be forbidden, give a certificate of publication.

(2) A certificate issued under this section shall be in such form as may be prescribed by the Admiralty and shall, as respects the party who is an officer, seaman or marine as aforesaid, be sufficient for the purposes of section eleven of this Act, and all provisions of this Act (including penal provisions) relating to the publication of banns and certificates thereof and all rules required by section seven of this Act to be observed shall apply in the case of banns published under this section subject to such adaptations therein as may be made by His Majesty by Order in Council.

Marriage by Common Licence.

Places in which marriages may be solemnized by common licence.

15.—(1) Subject to the provisions of this Part of this Act, a common licence shall not be granted for the solemnization of a marriage in any church or chapel other than—

(*a*) the parish church of the parish, or an authorised chapel of the ecclesiastical district, in which one of the persons to be married has had his or her usual place of residence for fifteen days immediately before the grant of the licence; or

(*b*) a parish church or authorised chapel which is the usual place of worship of the persons to be married or of one of them.

(2) For the purposes of this section, any parish in which there is no parish church or chapel belonging thereto or no church or chapel in which divine service is usually solemnized every Sunday, and any extra-parochial place which has no authorised chapel, shall be deemed to belong to any adjoining parish or chapelry.

Provisions as to common licences.

16.—(1) A common licence shall not be granted unless one of the persons to be married has sworn before a person having authority to grant such a licence—

(*a*) that he or she believes that there is no impediment of kindred or alliance or any other lawful cause, nor any suit commenced in any court, to bar or hinder the solemnization of the marriage in accordance with the licence;

(*b*) that one of the persons to be married has had his or her usual place of residence in the parish or other ecclesiastical district in which the marriage

is to be solemnized for fifteen days immediately before the grant of the licence or that the parish church or authorised chapel in which the marriage is to be solemnized is the usual place of worship of those persons or of one of them;

(*c*) where one of the persons to be married is an infant and is not a widower or widow, that the consent of the person or persons whose consent to the marriage is required under section three of this Act has been obtained, that the necessity of obtaining any such consent has been dispensed with under that section, that the court has consented to the marriage under that section, or that there is no person whose consent to the marriage is so required.

(2) If any caveat is entered against the grant of a common licence, the caveat having been duly signed by or on behalf of the person by whom it is entered and stating his place of residence and the ground of objection on which the caveat is founded, no licence shall be granted until the caveat or a copy thereof is transmitted to the ecclesiastical judge out of whose office the licence is to issue, and the judge has certified to the registrar of the diocese that he has examined into the matter of the caveat and is satisfied that it ought not to obstruct the grant of the licence, or until the caveat is withdrawn by the person who entered it.

(3) Where a marriage is not solemnized within three months after the grant of a common licence, the licence shall be void and no clergyman shall solemnize the marriage on the authority thereof.

(4) No surrogate deputed by an ecclesiastical judge who has power to grant common licences shall grant any such licence until he has taken an oath before that judge, or a commissioner appointed under the seal of that judge, faithfully to execute his office according to law, to the best of his knowledge, and has given security by his bond in the sum of one hundred pounds to the bishop of the diocese for the due and faithful execution of his office.

Marriage under superintendent registrar's certificate.

Marriage under superintendent registrar's certificate.

17. A marriage according to the rites of the Church of England may be solemnized on the authority of a certificate of a superintendent registrar in force under Part III of this Act in any church or chapel in which banns of matrimony may be published:

Provided that a marriage shall not be solemnized as aforesaid in any such church or chapel without the consent of the minister thereof or by any person other than a clergyman.

PART II. —*cont.*

Publication of banns and solemnization of marriages during disuse of churches.

Publication of banns and solemnization of marriages during repair and rebuilding of churches.

18.—(1) Where any church or chapel in which banns may be published and marriages solemnized is being rebuilt or repaired, and on that account is not being used for divine service, banns of matrimony which could otherwise have been published therein and marriages which could otherwise have been solemnized therein may be published or solemnized, as the case may be,—

(*a*) in any building licensed by the bishop of the diocese for the performance of divine service during the disuse of the church or chapel, being a building within the parish or other ecclesiastical district in which the disused church or chapel is situated; or

(*b*) if no building has been licensed as aforesaid, in any such consecrated chapel as the bishop of the diocese may in writing direct, being a chapel within the said parish or district; or

(*c*) if no building has been licensed as mentioned in paragraph (*a*) of this subsection and no direction has been given by the bishop under the last foregoing paragraph, in a church or chapel of any adjoining parish or other ecclesiastical district, being a church or chapel in which banns may be published and marriages solemnized.

(2) Any fees paid in respect of marriages solemnized by virtue of paragraph (*b*) of the last foregoing subsection in a consecrated chapel specified in a direction given by the bishop of the diocese under that paragraph shall be applied as the bishop, with the consent of the incumbent of the disused church or chapel, may in writing direct.

(3) Any marriage solemnized by virtue of the said subsection in any licensed building or consecrated chapel or in the church or chapel of an adjoining parish or district shall be deemed for the purposes of Part IV of this Act to have been solemnized in the disused church or chapel and shall accordingly be registered in the marriage register books kept by the incumbent of the disused church or chapel.

Publication of banns and solemnization of marriage where church injured by war damage.

19. Where an order made by the Church Commissioners under section three of the Diocesan Reorganisation Committees Measure, 1941, (which enables orders to be made deferring the restoration of churches injured by war damage) is in force as respects any church, banns of matrimony of persons entitled to be married in that church may be published, and marriages of such persons may be solemnized, in such other church, chapel or place of worship within the diocese as the bishop of the diocese shall in writing direct.

Licensing of chapels for publication of banns and solemnization of marriages.

Licensing of chapels for publication of banns and solemnization of marriages for persons residing in specified district.

20.—(1) Subject to the provisions of this section, the bishop of the diocese in which a public chapel is situated may—

(*a*) if he thinks it necessary so to do for the due accommodation and convenience of the inhabitants of any district; and

(*b*) if the patron and incumbent of the church of the parish in which the public chapel is situated have signified their consent under their respective hands and seals,

authorise by a licence under his hand and seal the publication of banns and the solemnization of marriages in that public chapel between parties both or either of whom reside or resides within a district of which the limits shall be specified in the licence; and any such licence may include such provisions concerning the amount, appropriation or apportionment of dues and such other particulars as the bishop thinks fit.

(2) Notwithstanding anything in the last foregoing subsection, the bishop of the diocese may grant a licence under this section without the consent of the patron and incumbent of the church of the parish in which the public chapel is situated after two months notice in writing given to the patron and incumbent by the registrar of the diocese:

Provided that where any patron or incumbent who refuses or withholds his consent to the grant of a licence under this section delivers to the bishop under his hand and seal a statement of the reasons for which the consent has been refused or withheld, no licence shall be granted by the bishop until he has inquired into the reasons contained in the statement.

(3) Where a bishop grants a licence under this section without the consent of the patron and incumbent, the patron or incumbent may, within one month from the grant of the licence, appeal to the archbishop of the province who shall hear the appeal in a summary manner, and shall make such order confirming, revoking or varying the licence as seems to him expedient.

(4) Any licence granted or order made under this section may at any time be revoked in writing under the hand and seal of the bishop of the diocese with the consent in writing of the archbishop of the province; and the registrar of the diocese shall notify the revocation in writing to the minister officiating in the chapel concerned and shall give public notice of the revocation by advertisement in some newspaper circulating within the county in which the chapel is situated and in the London Gazette.

PART II. —*cont.*

(5) There shall be displayed in some conspicuous part of the interior of any chapel licensed under this section the words " Banns may be published and marriages may be solemnized in this chapel ".

(6) Every consent of a patron or incumbent delivered under subsection (1) of this section, a copy of every notice given by the registrar of a diocese under subsection (2) of this section, every statement of reasons delivered by a patron or incumbent under the said subsection (2), together with the bishop's decision thereon under his hand and seal, every order made by an archbishop under subsection (3) of this section and every revocation and consent made or given under subsection (4) of this section, shall be registered in the registry of the diocese.

(7) The district specified in a licence granted under this section may be taken out of more than one parish; and where any such licence specifies a district taken out of more than one parish the expressions " patron " and " incumbent " shall for the purposes of this section mean the patron or incumbent, as the case may be, of the church of every parish out of which the district so specified is taken.

(8) In this section the expression " public chapel " means any public chapel with or without a chapelry annexed thereto, or any chapel duly licensed for the celebration of divine service according to the rites and ceremonies of the Church of England, or any chapel the minister of which is duly licensed to officiate therein according to the rites and ceremonies of the Church of England.

Authorising of publication of banns and solemnization of marriages in churches and chapels of extra-parochial places.

21.—(1) Where any extra-parochial place has belonging to it or within it any church or chapel of the Church of England, the bishop of the diocese in which the church or chapel is situated may, if he thinks fit, authorise in writing under his hand and seal the publication of banns and the solemnization of marriages by banns or licence in that church or chapel between parties both or either of whom reside or resides in that extra-parochial place.

(2) Every authorisation given under the last foregoing subsection shall be registered in the registry of the diocese.

Miscellaneous Provisions.

Witnesses

22. All marriages solemnized according to the rites of the Church of England shall be solemnized in the presence of two or more witnesses in addition to the clergyman by whom the marriage is solemnized.

Benefices held in plurality.

23. Where two or more benefices are held in plurality under the Pastoral Reorganisation Measure, 1949, the bishop of the diocese in which the benefices are situated or, during a vacancy in the see, the guardian of the spiritualities thereof, may in

writing direct where banns of matrimony of persons entitled to be married in any church of those benefices may be published and where marriages of those persons may be solemnized:

Provided that—

(*a*) nothing in this section shall deprive a person of the right to be married in any church in which he would have been entitled to be married if no directions had been given under this section; and

(*b*) a person may be married in a church in which he would have been entitled to be married as aforesaid notwithstanding that the banns of matrimony have, by virtue of this section, been published only in some other church.

Proof of residence not necessary to validity of marriage by banns or common licence.

24.—(1) Where any marriage has been solemnized after the publication of banns of matrimony, it shall not be necessary in support of the marriage to give any proof of the residence of the parties or either of them in any parish or other ecclesiastical district in which the banns were published, and no evidence shall be given to prove the contrary in any proceedings touching the validity of the marriage.

(2) Where any marriage has been solemnized on the authority of a common licence, it shall not be necessary in support of the marriage to give any proof that the usual place of residence of one of the parties was for fifteen days immediately before the grant of the licence in the parish or other ecclesiastical district in which the marriage was solemnized, and no evidence shall be given to prove the contrary in any proceedings touching the validity of the marriage.

Void marriages.

25. If any persons knowingly and wilfully intermarry according to the rites of the Church of England (otherwise than by special licence)—

(*a*) in any place other than a church or other building in which banns may be published ;

(*b*) without banns having been duly published, a common licence having been obtained, or a certificate having been duly issued under Part III of this Act by a superintendent registrar to whom due notice of marriage has been given; or

(*c*) on the authority of a publication of banns which is void by virtue of subsection (3) of section three or subsection (2) of section twelve of this Act, on the authority of a common licence which is void by virtue of subsection (3) of section sixteen of this Act, or on the authority of a certificate of a superintendent registrar which is void by virtue of subsection (2) of section thirty-three of this Act;

PART II. —*cont.*

(*d*) in the case of a marriage on the authority of a certificate of a superintendent registrar, in any place other than the church or other building specified in the notice of marriage and certificate;

or if they knowingly and wilfully consent to or acquiesce in the solemnization of the marriage by any person who is not in Holy Orders, the marriage shall be void.

PART III.

MARRIAGE UNDER SUPERINTENDENT REGISTRAR'S CERTIFICATE.

Issue of certificates.

Marriages which may be solemnized on authority of superintendent registrar's certificate.

26.—(1) Subject to the provisions of this Part of this Act, the following marriages may be solemnized on the authority of a certificate of a superintendent registrar—

(*a*) a marriage in a registered building according to such form and ceremony as the persons to be married see fit to adopt;

(*b*) a marriage in the office of a superintendent registrar;

(*c*) a marriage according to the usages of the Society of Friends (commonly called Quakers);

(*d*) a marriage between two persons professing the Jewish religion according to the usages of the Jews;

(*e*) a marriage according to the rites of the Church of England.

(2) A marriage on the authority of a certificate of a superintendent registrar may be either by a licence issued by the superintendent registrar or without a licence:

Provided that a superintendent registrar shall not issue a licence for a marriage in any church or chapel in which marriages may be solemnized according to the rites of the Church of England, or in any church or chapel belonging to the Church of England or licensed for the celebration of divine worship according to the rites and ceremonies of the Church of England.

Notice of marriage.

27.—(1) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar without licence, notice of marriage in the prescribed form shall be given—

(*a*) if the persons to be married have resided in the same registration district for the period of seven days immediately before the giving of the notice, by either of those persons to the superintendent registrar of that district;

(*b*) if the persons to be married have not resided in the same registration district for the said period of seven days as aforesaid, by either of those persons to the superintendent registrar of each registration district in which one of them has resided for that period.

(2) Where a marriage is intended to be solemnized as aforesaid by licence, then, whether the persons to be married reside in the same or in different registration districts, notice of marriage in the prescribed form shall be given by either of those persons to the superintendent registrar of the registration district in which one of them has resided for the period of fifteen days immediately before the giving of the notice, and it shall not be required that notice of marriage shall be given to more than one superintendent registrar.

(3) A notice of marriage shall state the name and surname, marital status, occupation and place of residence of each of the persons to be married and the church or other building in which the marriage is to be solemnized and—

(*a*) in the case of a marriage intended to be solemnized without licence, shall state the period, not being less than seven days, during which each of the persons to be married has resided in his or her place of residence;

(*b*) in the case of a marriage intended to be solemnized by licence, shall state the period, not being less than fifteen days, during which one of the persons to be married has resided in the district in which notice of marriage is given:

Provided that if either of the persons to be married has resided in the place stated in the notice for more than one month, the notice may state that he or she has resided there for more than one month.

(4) The superintendent registrar shall file all notices of marriage and keep them with the records of his office, and shall also forthwith enter the particulars given in every such notice, together with the date of the notice and the name of the person by whom the notice was given, in a book (in this Act referred to as " the marriage notice book ") furnished to him for that purpose by the Registrar General, and the marriage notice book shall be open for inspection free of charge at all reasonable hours.

(5) If the persons to be married wish to be married in the presence of a registrar in a registered building for which an authorised person has been appointed, they shall, at the time when notice of marriage is given to the superintendent registrar under this section, give notice to him that they require a registrar to be present at the marriage.

PART III. —*cont.*

(6) The superintendent registrar shall be entitled to a fee of one shilling for every entry made in the marriage notice book under this section.

Declaration to accompany notice of marriage.

28.—(1) No certificate or licence for marriage shall be issued by a superintendent registrar unless the notice of marriage is accompanied by a solemn declaration in writing, in the body or at the foot of the notice, made and signed at the time of the giving of the notice by the person by whom the notice is given and attested as mentioned in subsection (2) of this section—

(*a*) that he or she believes that there is no impediment of kindred or alliance or other lawful hindrance to the marriage;

(*b*) in the case of a marriage intended to be solemnized without licence, that the persons to be married have for the period of seven days immediately before the giving of the notice had their usual places of residence within the registration district or registration districts in which notice is given, or, in the case of a marriage intended to be solemnized by licence, that one of the persons to be married has for the period of fifteen days immediately before the giving of the notice had his or her usual place of residence within the registration district in which notice is given;

(*c*) where one of the persons to be married is an infant and is not a widower or widow, that the consent of the person or persons whose consent to the marriage is required under section three of this Act has been obtained, that the necessity of obtaining any such consent has been dispensed with under that section, that the court has consented to the marriage under that section, or that there is no person whose consent to the marriage is so required.

(2) Any such declaration as aforesaid shall be signed by the person giving the notice of marriage in the presence of the superintendent registrar to whom the notice is given or his deputy, or in the presence of a registrar of births and deaths or of marriages for the registration district in which the person giving the notice resides or his deputy, and that superintendent registrar, deputy superintendent registrar, registrar or deputy registrar, as the case may be, shall attest the declaration by adding thereto his name, description and place of residence.

Caveat against issue of certificate or licence

29.—(1) Any person on payment of a fee of five shillings may enter a caveat with the superintendent registrar against the issue of a certificate or licence for the marriage of any person named therein.

PART III. —*cont.*

(2) If any caveat is entered as aforesaid, the caveat having been signed by or on behalf of the person by whom it was entered and stating his place of residence and the ground of objection on which the caveat is founded, no certificate or licence shall be issued until the superintendent registrar has examined into the matter of the caveat and is satisfied that it ought not to obstruct the issue of the certificate or licence, or until the caveat has been withdrawn by the person who entered it; and if the superintendent registrar is doubtful whether to issue a certificate or licence he may refer the matter of the caveat to the Registrar General.

(3) Where a superintendent registrar refuses, by reason of any such caveat as aforesaid, to issue a certificate or licence, the person applying therefor may appeal to the Registrar General who shall either confirm the refusal or direct that a certificate or licence shall be issued.

(4) Any person who enters a caveat against the issue of a certificate or licence on grounds which the Registrar General declares to be frivolous and to be such that they ought not to obstruct the issue of the certificate or licence, shall be liable for the costs of the proceedings before the Registrar General and for damages recoverable by the person against whose marriage the caveat was entered.

(5) For the purpose of enabling any person to recover any such costs and damages as aforesaid, a copy of the declaration of the Registrar General purporting to be sealed with the seal of the General Register Office shall be evidence that the Registrar General has declared the caveat to have been entered on grounds which are frivolous and such that they ought not to obstruct the issue of the certificate or licence.

Forbidding of issue of certificate.

30. Any person whose consent to a marriage intended to be solemnized on the authority of a certificate of a superintendent registrar is required under section three of this Act may forbid the issue of such a certificate by writing, at any time before the issue of the certificate, the word " forbidden " opposite to the entry of the notice of marriage in the marriage notice book, and by subscribing thereto his name and place of residence and the capacity, in relation to either of the persons to be married, in which he forbids the issue of the certificate; and where the issue of a certificate has been so forbidden, the notice of marriage and all proceedings thereon shall be void:

Provided that where, by virtue of paragraph (*b*) of the proviso to subsection (1) of the said section three, the court has consented to a marriage and the consent of the court has the same effect as if it had been given by a person whose consent has been refused, that person shall not be entitled

PART III. —*cont.*

to forbid the issue of a certificate for that marriage under this section, and the notice of marriage and the proceedings thereon shall not be void by virtue of this section.

Marriage under certificate without licence.

31.—(1) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar without licence, the superintendent registrar to whom notice of marriage has been given shall suspend or affix in some conspicuous place in his office, for twenty-one successive days next after the day on which the notice was entered in the marriage book, the notice of marriage, or an exact copy signed by him of the particulars thereof as entered in the marriage notice book.

(2) At the expiration of the said period of twenty-one days the superintendent registrar, on the request of the person by whom the notice of marriage was given, shall issue a certificate in the prescribed form unless—

(*a*) any lawful impediment to the issue of the certificate has been shown to the satisfaction of the superintendent registrar; or

(*b*) the issue of the certificate has been forbidden under the last foregoing section by any person authorised in that behalf.

(3) Every such certificate shall set out the particulars contained in the notice of marriage and the day on which the notice was entered in the marriage notice book and shall contain a statement that the issue of the certificate has not been forbidden as aforesaid.

(4) No marriage shall be solemnized on the production of a certificate of a superintendent registrar without licence until after the expiration of the said period of twenty-one days.

(5) Where a marriage is to be solemnized in a registered building for which an authorised person has been appointed and no notice requiring a registrar to be present at the marriage has been given to the superintendent registrar under subsection (5) of section twenty-seven of this Act, the superintendent registrar shall, when issuing a certificate under this section, give to one of the persons to be married printed instructions in the prescribed form for the due solemnization of the marriage.

(6) A superintendent registrar shall be entitled to receive a fee of one shilling for every certificate issued by him under this section.

Marriage under certificate by licence.

32.—(1) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar by licence, the person by whom notice of marriage is given shall state in the notice that the marriage is intended to be solemnized by licence, and the notice shall not be suspended in the office of the superintendent registrar.

PART III. —*cont.*

(2) Where a notice of marriage containing such a statement as aforesaid has been received by a superintendent registrar, then, after the expiration of one whole day next after the day on which the notice was entered in the marriage notice book, the superintendent registrar, on the request of the person by whom the notice was given, shall issue a certificate and a licence in the prescribed form unless—

(*a*) any lawful impediment to the issue of the certificate has been shown to the satisfaction of the superintendent registrar; or

(*b*) the issue of the certificate has been forbidden under section thirty of this Act by any person authorised in that behalf.

(3) Every such certificate shall set out the particulars contained in the notice of marriage and the day on which the notice was entered in the marriage notice book, and shall contain a statement that the issue of the certificate has not been forbidden as aforesaid.

(4) Where a marriage is to be solemnized in a registered building for which an authorised person has been appointed and no notice requiring a registrar to be present at the marriage has been given to the superintendent registrar under subsection (5) of section twenty-seven of this Act, the superintendent registrar shall, when issuing a certificate and licence under this section, give to one of the persons to be married printed instructions in the prescribed form for the due solemnization of the marriage.

(5) A superintendent registrar shall be entitled to receive for every certificate issued by him under this section a fee of one shilling, and for every licence so issued the sum of one pound and ten shillings over and above the amount paid for the stamps necessary on the issue of the licence.

(6) A superintendent registrar shall not issue a licence under this section until he has given security by his bond in the sum of one hundred pounds to the Registrar General for the due and faithful execution of his office.

Period of validity of certificate and licence.

33.—(1) A marriage may be solemnized on the authority of a certificate of a superintendent registrar, whether by licence or without licence, at any time within three months from the day on which the notice of marriage was entered in the marriage notice book.

(2) If the marriage is not solemnized within the said period of three months, the notice of marriage and the certificate, and any licence which may have been granted thereon, shall be void, and no person shall solemnize the marriage on the authority thereof.

PART III —*cont.*

Marriages normally to be solemnized in registration district in which one of parties resides.

34. Subject to the provisions of the next following section, a superintendent registrar shall not issue a certificate for the solemnization of a marriage in a building which is not within a registration district in which one of the persons to be married has resided, in the case of a marriage without licence, for the period of seven days immediately before the giving of the notice of marriage or, in the case of a marriage by licence, for the period of fifteen days immediately before the giving of that notice.

Marriages in registration district in which neither party resides

35.—(1) A superintendent registrar may issue a certificate, or if the marriage is to be by licence, a certificate and a licence, for the solemnization of a marriage in a registered building which is not within a registration district in which either of the persons to be married resides, where the person giving the notice of marriage declares by endorsement thereon in the prescribed form—

(*a*) the religious appellation of the body of christians to which he or she professes to belong and the form, rite or ceremony which the persons to be married desire to adopt in solemnizing their marriage;

(*b*) that, to the best of his or her belief, there is not within the registration district in which one of them resides any registered building in which marriage is solemnized according to that form, rite or ceremony;

(*c*) the registration district nearest to the residence of that person in which there is a registered building in which marriage may be so solemnized; and

(*d*) the registered building in that district in which the marriage is intended to be solemnized;

and where any such certificate or certificate and licence is issued, the marriage may be solemnized in the registered building stated in the notice.

(2) A superintendent registrar may issue a certificate or, if the marriage is to be by licence, a certificate and a licence, for the solemnization of a marriage in a registered building which is the usual place of worship of the persons to be married, or of one of them, notwithstanding that the building is not within a registration district in which either of those persons resides, so long as the building is not more than two miles beyond the limits of the registration district, or one of the registration districts, in which notice of marriage has been given.

(3) A superintendent registrar may issue a certificate for the solemnization of a marriage in any parish church or authorised chapel which is the usual place of worship of the

PART III. —*cont.*

persons to be married, or of one of them, notwithstanding that the church or chapel is not within a registration district in which either of those persons resides.

(4) A superintendent registrar may issue a certificate or, if the marriage is to be by licence, a certificate and a licence, for the solemnization of a marriage according to the usages of the Society of Friends or in accordance with the usages of persons professing the Jewish religion, notwithstanding that the building or place in which the marriage is to be solemnized is not within a registration district in which either of the persons to be married resides.

(5) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar issued under subsection (2) or subsection (3) of this section, the notice of marriage given to the superintendent registrar and the certificate issued by the superintendent registrar shall state, in addition to the description of the registered building or, as the case may be, the parish church or authorised chapel, in which the marriage is to be solemnized, that it is the usual place of worship of the persons to be married or of one of them and, in the latter case, shall state the name of the person whose usual place of worship it is.

Superintendent registrar to issue licences only for marriages to be solemnized in his registration district.

36. Subject to the provisions of the last foregoing section, a superintendent registrar shall not issue a licence for the solemnization of a marriage—

(*a*) in a registered building which is not within his registration district;

(*b*) in the office of any other superintendent registrar.

One party resident in Scotland.

37.—(1) Where a marriage is intended to be solemnized in England on the authority of a certificate of a superintendent registrar without licence between parties of whom one is residing in Scotland and the other is residing in England, the following provisions shall have effect—

(*a*) the party residing in Scotland may, subject to and in accordance with the provisions of section seven of the Marriage Notice (Scotland) Act, 1878, give notice of the intended marriage as if the parties were residing in different parishes or districts in Scotland and as if the marriage were intended to be contracted or celebrated in Scotland, and the provisions of that Act relating to notices of intended marriages and the granting of certificates of due publication thereof shall apply accordingly;

PART III. —*cont.*

(*b*) the party residing in England may, subject to and in accordance with the provisions of sections twenty-seven and twenty-eight of this Act, give notice of the intended marriage as if both parties were residing in different registration districts in England, and the provisions of this Part of this Act relating to notices of marriage and the issue of certificates for marriage shall apply accordingly;

(*c*) a certificate of due publication of a notice of the intended marriage granted in Scotland by virtue of paragraph (*a*) of this subsection shall, for the purpose of the marriage, have the like force and effect in all respects as a certificate for marriage issued by a superintendent registrar under this Part of this Act;

(*d*) for the purposes of section thirty-three of this Act the notice given in Scotland shall be deemed to have been entered in a marriage notice book by a superintendent registrar in England on the day on which it was given.

(2) Where a marriage is intended to be solemnized as aforesaid between parties of whom one is residing in Scotland and the other is residing in England and a certificate of proclamation of banns in Scotland has been issued under the hand of the minister or session clerk of the parish in which the proclamation was made—

(*a*) the superintendent registrar of the registration district in which the party residing in England is residing may accept notice of marriage given by that party, subject to and in accordance with the provisions of sections twenty-seven and twenty-eight of this Act, as if both parties were residing in different registration districts in England, and the provisions of this Part of this Act relating to notices of marriage and the issue of certificates for marriage shall apply accordingly;

(*b*) the production of the certificate of proclamation of banns to the person by whom the marriage is to be solemnized shall be as valid for authorising that person to solemnize the marriage as the production of a certificate for marriage of a superintendent registrar of a registration district in England would be in the case of a person residing in that district.

One party resident in Northern Ireland.

38.—(1) Where a marriage is intended to be solemnized in England on the authority of a certificate of a superintendent registrar without licence between parties of whom one is residing in Northern Ireland and the other is residing in England, the party residing in Northern Ireland may give notice of marriage in the form used for that purpose in

Northern Ireland or to the like effect to the registrar of the district in Northern Ireland in which he or she has resided for not less than seven days immediately before the giving of the notice.

(2) Any such notice as aforesaid shall state the name and surname, marital status, occupation, age and place of residence of each of the persons to be married and the period, not being less than seven days, during which each of them has resided in that place and the church or other building in which the marriage is to be solemnized:

Provided that if either of the persons to be married has resided in the place stated in the notice for more than one month, the notice may state that he or she has resided there for more than one month.

(3) Any such notice as aforesaid shall be dealt with, and a certificate for marriage issued by the registrar, in the manner prescribed by the Marriages (Ireland) Act, 1844, as amended by the Marriages (Ireland) Act, 1846, and the Marriage Law (Ireland) Amendment Act, 1863:

Provided that the registrar shall not issue a certificate until the expiration of twenty-one days from the day on which the notice was entered in the marriage notice book required to be kept under the said Marriages (Ireland) Act, 1844.

(4) The production to the person by whom the marriage is to be solemnized of a certificate issued under the last foregoing subsection shall be as valid for authorising that person to solemnize the marriage as the production of a certificate for marriage of a superintendent registrar of a registration district in England would be in the case of a person residing in that district.

Issue of certificates on board His Majesty's ships.

39.—(1) Where a marriage is intended to be solemnized in England on the authority of a certificate of a superintendent registrar without licence between parties of whom one is residing in England and the other is an officer, seaman, or marine borne on the books of one of His Majesty's ships at sea, the last-mentioned party may give notice of his intention to the captain or other officer commanding the ship, together with the name and address of the other party to the marriage, and such other information as may be necessary to enable the captain or other officer to fill up a certificate under this section, and shall at the same time make and sign such a declaration as is required by section twenty-eight of this Act, and the captain or other officer may attest the declaration and thereupon issue a certificate to the officer, seaman or marine giving the notice.

PART III. —*cont.*

(2) A certificate issued under this section shall be in such form as may be prescribed by the Admiralty and shall have the like force and effect as a certificate issued by a superintendent registrar under this Part of this Act, and all provisions of this Act (including penal provisions) relating to notices and declarations for obtaining certificates from superintendent registrars and to such certificates shall apply in the case of certificates issued under this section, subject to such adaptations therein as may be made by His Majesty by Order in Council.

(3) Where a marriage is intended to be solemnized in England as aforesaid and a certificate has been issued to one of the parties under this section, the superintendent registrar of the registration district in which the other party is residing may accept notice of marriage given by that party, subject to and in accordance with the provisions of sections twenty-seven and twenty-eight of this Act, as if both parties were residing in different registration districts in England, and the provisions of this Part of this Act relating to notices of marriage and the issue of certificates for marriage shall apply accordingly.

Forms of certificates to be furnished by Registrar General.

40.—(1) The Registrar General shall furnish to every superintendent registrar a sufficient number of forms of certificates for marriage.

(2) In order to distinguish the certificates to be issued for marriages by licence from the certificates to be issued for marriages without licence, a watermark in the form of the word "licence," in Roman letters, shall be laid and manufactured in the substance of the paper on which the certificates to be issued for marriage by licence are written or printed, and every certificate to be issued for marriage by licence shall be printed with red ink and every certificate to be issued for marriage without licence shall be printed with black ink, and such other distinctive marks between the two kinds of certificates as the Registrar General may from time to time think fit shall be used.

Marriages in registered buildings.

Registration of buildings.

41.—(1) Any proprietor or trustee of a separate building, which has been certified as required by law as a place of religious worship may apply to the superintendent registrar of the registration district in which the building is situated for the building to be registered for the solemnization of marriages therein.

(2) Any person making such an application as aforesaid shall deliver to the superintendent registrar a certificate, signed in duplicate by at least twenty householders, stating that the

PART III —*cont.*

instead of using that building the congregation use for the said purpose some other separate building which has been certified as required by law as a place of public religious worship, he may register the said other building in substitution for the disused building, notwithstanding that the said other building has not been used as a place of public religious worship for one year immediately before the application.

(2) Any application made under the last foregoing subsection for the registration of a building in substitution for a disused building shall be accompanied by a certificate, signed in duplicate by at least twenty householders, stating that the first-mentioned building is used by them as their usual place of worship and that they desire that that building should be registered in substitution for the disused building, and each certificate shall be countersigned by the proprietor or trustee of the first-mentioned building.

(3) Where the Registrar General cancels the registration of any building, or registers any building in substitution for another, under this section, he shall inform the superintendent registrar who shall enter that fact and the date thereof in the book provided for the registration of buildings, and shall certify and publish the cancellation, or the substitution and registration, in the manner provided by subsection (5) of the last foregoing section in the case of the original registration of a building.

(4) Where any building is registered under this section in substitution for another, the superintendent registrar shall be entitled to receive, at the time of the delivery of the certificates under subsection (2) of this section, the sum of three pounds.

(5) Where the registration of any building has been cancelled, or any building has been registered in substitution for another, under this section, it shall not be lawful to solemnize any marriage in the disused building, unless the building has been registered again in accordance with the provisions of this Part of this Act.

Appointment of authorised persons.

43.—(1) For the purpose of enabling marriages to be solemnized in a registered building without the presence of a registrar, the trustees or governing body of that building may authorise a person to be present at the solemnization of marriages in that building and, where a person is 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 so authorised to the Registrar General and to the superintendent registrar of the registration district in which the building is situated.

PART III. —*cont.*

building has been used by them for at least one year immediately before the application as their usual place of public religious worship and that they desire that the building should be registered as aforesaid, and each certificate shall be countersigned by the proprietor or trustee by whom they are delivered.

(3) The superintendent registrar shall send both certificates delivered to him under the last foregoing subsection to the Registrar General who shall register the building in a book to be kept for that purpose in the General Register Office.

(4) The Registrar General shall endorse on both certificates sent to him as aforesaid the date of the registration, and shall keep one certificate with the records of the General Register Office and shall return the other certificate to the superintendent registrar who shall keep it with the records of his office.

(5) On the return of the certificate under the last foregoing subsection, the superintendent registrar shall—

(*a*) enter the date of the registration of the building in a book to be provided for that purpose by the Registrar General;

(*b*) give a certificate of the registration signed by him, on durable materials, to the proprietor or trustee by whom the certificates delivered to him under subsection (2) of this section were countersigned; and

(*c*) give public notice of the registration of the building by advertisement in some newspaper circulating in the county in which the building is situated and in the London Gazette.

(6) For every entry, certificate and notice made or given under the last foregoing subsection the superintendent registrar shall be entitled to receive, at the time of the delivery of the certificates under subsection (2) of this section, the sum of three pounds.

(7) For the purpose of being registered for the solemnization of marriages under this section, any building which has been used for one year immediately before registration for public religious worship as a Roman Catholic chapel exclusively shall be deemed to be a separate building, notwithstanding that it is under the same roof as another building, or forms part only of a building.

Cancellation of registration and substitution of another building.

42.—(1) Where, on an application made by or through the superintendent registrar of the registration district in which the building is situated, it is shown to the satisfaction of the Registrar General that a registered building is no longer used for the purpose of public religious worship by the congregation on whose behalf it was registered, he shall cause the registration to be cancelled, and if it is proved to his satisfaction that

PART III. —*cont.*

(2) Any person whose name and address have been certified as aforesaid is in this Act referred to as an " authorised person ".

(3) Nothing in this section shall be taken to relate or have any reference to marriages solemnized according to the usages of the Society of Friends or of persons professing the Jewish religion.

Solemnization of marriage in registered building.

44.—(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:—

" 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,

PART III. —*cont.*

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.

Marriages in register offices.

Solemnization of marriage in register office.

45.—(1) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar, the persons to be married may state in the notice of marriage that they wish to be married in the office of the superintendent registrar or one of the superintendent registrars, as the case may be, to whom notice of marriage is given, and where any such notice has been given and the certificate or certificate and licence, as the case may be, has or have been issued accordingly, the marriage may be solemnized in the said office, with open doors, in the presence of the superintendent registrar and a registrar of the registration district of that superintendent registrar and in the presence of two witnesses, and the persons to be married shall make the declarations and use the form of words set out in subsection (3) of the last foregoing section in the case of marriages in registered buildings in the presence of a registrar.

(2) No religious service shall be used at any marriage solemnized in the office of a superintendent registrar.

Register office marriage followed by religious ceremony.

46.—(1) If the parties to a marriage solemnized in the office of a superintendent registrar desire to add the religious ceremony ordained or used by the church or persuasion of which they are members, they may present themselves, after giving notice of their intention so to do, to the clergyman or minister of the church or persuasion of which they are members, and the clergyman or minister, upon the production of a certificate of their marriage before the superintendent

PART III. —*cont.*

registrar and upon the payment of the customary fees (if any), may, if he sees fit, read or celebrate in the church or chapel of which he is the regular minister the marriage service of the church or persuasion to which he belongs or nominate some other minister to do so.

(2) Nothing in the reading or celebration of a marriage service under this section shall supersede or invalidate any marriage previously solemnized in the office of a superintendent registrar, and the reading or celebration shall not be entered as a marriage in any marriage register book kept under Part IV of this Act.

(3) No person who is not entitled to solemnize marriages according to the rites of the Church of England shall by virtue of this section be entitled to read or celebrate the marriage service in any church or chapel of the Church of England.

Marriages according to usages of Society of Friends.

Marriages according to usages of Society of Friends.

47.—(1) No person who is not a member of the Society of Friends shall be married according to the usages of that Society unless he or she is authorised to be so married under or in pursuance of a general rule of the said Society in England.

(2) A marriage solemnized according to the said usages shall not be valid unless either—

(*a*) the person giving notice of marriage declares, either verbally or, if so required, in writing, that each of the parties to the marriage is either a member of the Society of Friends or is in profession with or of the persuasion of that Society; or

(*b*) there is produced to the superintendent registrar, at the time when notice of marriage is given, a certificate purporting to be signed by a registering officer of the Society of Friends in England to the effect that any party to the marriage who is not a member of the Society of Friends or in profession with or of the persuasion of that Society, is authorised to be married according to the said usages under or in pursuance of a general rule of the said Society in England.

(3) Any such certificate as aforesaid shall be for all purposes conclusive evidence that any person to whom it relates is authorised to be married according to the usages of the said Society, and the entry of the marriage in a marriage register book under Part IV of this Act, or a certified copy thereof made under the said Part IV, shall be conclusive evidence of the production of such a certificate.

PART III. —*cont.*

(4) A copy of any general rule of the Society of Friends purporting to be signed by the recording clerk for the time being of the said Society in London shall be admitted as evidence of the general rule in all proceedings touching the validity of any marriage solemnized according to the usages of the said Society.

Miscellaneous Provisions.

Proof of certain matters not necessary to validity of marriages.

48.—(1) Where any marriage has been solemnized under the provisions of this Part of this Act, it shall not be necessary in support of the marriage to give any proof—

(*a*) that before the marriage either of the parties thereto resided, or resided for any period, in the registration district stated in the notice of marriage to be that of his or her place of residence;

(*b*) that any person whose consent to the marriage was required by section three of this Act had given his consent;

(*c*) that the registered building in which the marriage was solemnized had been certified as required by law as a place of religious worship;

(*d*) that that building was the usual place of worship of either of the parties to the marriage; or

(*e*) that the facts stated in a declaration made under subsection (1) of section thirty-five of this Act were correct;

nor shall any evidence be given to prove the contrary in any proceedings touching the validity of the marriage.

(2) A marriage solemnized in accordance with the provisions of this Part of this Act in a registered building which has not been certified as required by law as a place of religious worship shall be as valid as if the building had been so certified.

Void marriages.

49. If any persons knowingly and wilfully intermarry under the provisions of this Part of this Act—

(*a*) without having given due notice of marriage to the superintendent registrar;

(*b*) without a certificate for marriage having been duly issued by the superintendent registrar to whom notice of marriage was given;

(*c*) without a licence having been so issued, in a case in which a licence is necessary;

(*d*) on the authority of a certificate which is void by virtue of subsection (2) of section thirty-three of this Act;

(*e*) in any place other than the church, chapel, registered building, office or other place specified in the notice of marriage and certificate of the superintendent registrar;

(*f*) in the case of a marriage in a registered building (not being a marriage in the presence of an authorised person), in the absence of a registrar of the registration district in which the registered building is situated; or

(*g*) in the case of a marriage in the office of a superintendent registrar, in the absence of the superintendent registrar or of a registrar of the registration district of that superintendent registrar;

the marriage shall be void.

Person to whom certificate to be delivered.

50.—(1) Where a marriage is intended to be solemnized on the authority of a certificate of a superintendent registrar, the certificate or, if notice of marriage has been given to more than one superintendent registrar, the certificates shall be delivered to the following person, that is to say:—

(*a*) if the marriage is to be solemnized in a registered building in the presence of a registrar, that registrar;

(*b*) if the marriage is to be solemnized in a registered building without the presence of a registrar, the authorised person in whose presence the marriage is to be solemnized;

(*c*) if the marriage is to be solemnized in the office of a superintendent registrar, the registrar in whose presence the marriage is to be solemnized;

(*d*) if the marriage is to be solemnized according to the usages of the Society of Friends, the registering officer of that Society for the place where the marriage is to be solemnized;

(*e*) if the marriage is to be solemnized according to the usages of persons professing the Jewish religion, the officer of a synagogue by whom the marriage is required to be registered under Part IV of this Act;

(*f*) if the marriage is to be solemnized according to the rites of the Church of England, the officiating clergyman.

(2) In the application of the last foregoing subsection to a marriage solemnized otherwise than according to the rites of the Church of England, the reference therein to a certificate shall, if the marriage is by licence, be construed as a reference to the certificate and licence.

PART III. —*cont.*

(3) Where a marriage is solemnized in a registered building without the presence of a registrar, 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 kept by the authorised person under Part IV of this Act as and when required by the Registrar General.

Fees of registrars for attending marriages.

51. A registrar shall be entitled to receive from persons married under this Part of this Act in his presence the sum of ten shillings if the marriage is by licence and, in any other case, the sum of five shillings.

Provision for marriages in Welsh language.

52. The Registrar General shall furnish to every registrar in Wales and in every place in which the Welsh language is commonly used a true and exact translation into the Welsh language of the declaration and form of words required to be used under section forty-four of this Act, and the said translation may be used in any place in which the Welsh language is commonly used in the same manner as is prescribed by the said section forty-four for the use of the declaration and form of words in the English language.

PART IV.

REGISTRATION OF MARRIAGES.

Persons by whom marriages are to be registered.

53. Subject to the provisions of Part V of this Act, a marriage shall be registered in accordance with the provisions of this Part of this Act by the following person, that is to say,—

(*a*) in the case of a marriage solemnized according to the rites of the Church of England, by the clergyman by whom the marriage is solemnized;

(*b*) in the case of a marriage solemnized according to the usages of the Society of Friends, by the registering officer of that Society appointed for the district in which the marriage is solemnized ;

(*c*) in the case of a marriage solemnized according to the usages of persons professing the Jewish religion, by the secretary of the synagogue of which the husband is a member;

(*d*) in the case of a marriage solemnized in a registered building in the presence of a registrar, by that registrar;

(*e*) in the case of a marriage solemnized in a registered building without the presence of a registrar, by the

authorised person in whose presence the marriage is solemnized;

(*f*) in the case of a marriage solemnized in the office of a superintendent registrar, by the registrar in whose presence the marriage is solemnized.

Provision of marriage register books by Registrar General.

54.—(1) The Registrar General shall furnish to the rector, vicar or curate in charge of every church and chapel in which marriages may be solemnized according to the rites of the Church of England (hereafter in this Part of this Act referred to as the "incumbent") and to every registering officer of the Society of Friends, secretary of a synagogue and registrar and, in the case of a registered building for which an authorised person has been appointed, to the authorised person or to the trustees or governing body of the building, such number of register books for making entries of marriages in the prescribed form, and such number of forms for making certified copies of those entries, as may be required for the purposes of this Part of this Act.

(2) Marriage register books furnished as aforesaid shall be of durable materials, and the heads of information required to be known and registered in relation to marriages shall be printed on each side of every leaf thereof; and every page of a marriage register book, and every place of entry therein, shall be numbered progressively from the beginning to the end of the book, beginning with the number one, and every entry shall be divided from the following entry by a printed line.

Manner of registration of marriages.

55.—(1) Every person who is required under this Part of this Act to register a marriage shall, immediately after the solemnization of the marriage, or, in the case of a marriage according to the usages of the Society of Friends, as soon as conveniently may be after the solemnization of the marriage, register in duplicate in two marriage register books the particulars relating to the marriage in the prescribed form:

Provided that—

(*a*) where a registrar is required to register a marriage as aforesaid, the said particulars need not be registered in duplicate;

(*b*) before registering a marriage in accordance with the provisions of this Part of this Act, a registering officer of the Society of Friends and a secretary of a synagogue shall, whether or not he was present at the marriage, satisfy himself that the proceedings in relation to the marriage were conformable to the usages of the said Society or of persons professing the Jewish religion, as the case may be.

PART IV. —*cont.*

(2) Every entry made in a marriage register book by virtue of this section by a clergyman, registering officer, secretary or authorised person shall be signed by the clergyman, registering officer, secretary or authorised person, as the case may be, and by the parties to the marriage and two witnesses, and every entry so made by a registrar shall be signed by the person by or before whom the marriage was solemnized, if any, and by the registrar, the parties to the marriage and two witnesses.

(3) Every entry made in a marriage register book by virtue of this section shall be made in consecutive order from the beginning to the end of each book and, in the case of an entry made otherwise than by a registrar, the number of the entry shall be the same in each duplicate marriage register book.

Power to ask for particulars of marriage.

56. Every person who is required under this Part of this Act to register a marriage may ask the parties to the marriage the particulars relating to the marriage which are required to be entered in the marriage register book.

Quarterly returns to be made to superintendent registrar.

57.—(1) Every incumbent, registering officer of the Society of Friends, secretary of a synagogue, authorised person and registrar shall in the months of January, April, July and October—

(*a*) make and deliver to the superintendent registrar, on forms supplied by the Registrar General, a true copy certified by him under his hand of all entries of marriages made in the marriage register book kept by him during the period of three months ending with the last day of the month immediately before the month in which the copy is required by this subsection to be made; or

(*b*) if no marriage has been registered in the said book during that period, deliver to the superintendent registrar a certificate of that fact under his hand, on a form supplied by the Registrar General.

(2) The certified copies and certificates required to be delivered by a registrar under the last foregoing subsection shall be delivered to the superintendent registrar on such days in the months of January, April, July and October as may be appointed by the Registrar General, and shall be certified by the registrar in the prescribed form.

(3) Any incumbent and any authorised person who is required by subsection (1) of this section to deliver to the superintendent registrar a certified copy of entries in the

PART IV. —*cont.*

marriage register book or a certificate that no marriage has been registered, may deliver the copy or certificate to any registrar who is under the superintendence of that superintendent registrar, and every registrar who receives such a certified copy or certificate shall deliver it to the superintendent registrar; and a superintendent registrar may direct the registrars under his superintendence quarterly or more often, if he thinks fit or is ordered so to do by the Registrar General, to collect any such certified copies or certificates from every incumbent and authorised person within his registration district.

(4) The superintendent registrar shall pay or cause to be paid to every incumbent and authorised person by whom a certified copy is delivered under subsection (1) of this section the sum of sixpence for every entry contained in the certified copy; and that sum shall be reimbursed to the superintendent registrar by the council of the county or county borough in which his registration district is situated:

Provided that where a registration district is in the administrative county of London the said sum shall be reimbursed to the superintendent registrar by—

(*a*) in the case of a registration district in a metropolitan borough, the council of that borough;

(*b*) in the case of a registration district in the City of London, the Common Council of that City.

(5) Where a certified copy is delivered to the superintendent registrar by a registrar under subsection (1) of this section, the superintendent registrar shall verify the copy and, if the copy is found to be correct, shall certify it under his hand to be a true copy; and where a certificate that no marriage has been registered is so delivered, the superintendent registrar shall countersign the certificate.

(6) A superintendent registrar who is not a salaried officer shall be entitled to receive the sum of two pence for every entry in the certified copies delivered to him under this section, and shall four times in every year make out an account of the number of entries in the certified copies delivered to him during the preceding three months.

Quarterly returns to be made by superintendent registrar to Registrar General.

58.—(1) Every superintendent registrar shall, four times in every year on such days as may be appointed by the Registrar General, send to the Registrar General all certified copies of entries in marriage register books which he has received during the three months immediately before the days so appointed respectively, and if it appears, by interruption of the regular progression of numbers or otherwise, that the copy of any part of any book has not been duly delivered to him, the superintendent registrar shall as far as possible

PART IV. —*cont.*

procure, consistently with the provisions of this Part of this Act, that the deficiency is remedied.

(2) The certified copies sent to the Registrar General under the last foregoing subsection shall be kept in the General Register Office in such order and such manner as the Registrar General, under the direction of the Minister of Health, may think fit so that they may be most readily seen and examined.

Custody of register books.

59. Every incumbent, registering officer of the Society of Friends, secretary of a synagogue, authorised person and registrar shall keep marriage register books safely until they are filled, so however that any register book kept by an authorised person shall be kept in accordance with regulations made under section seventy-four of this Act and any register book kept by a registrar shall, when not in use, be kept in the register box provided for the purpose by the Registrar General in accordance with section fourteen of the Births and Deaths Registration Act, 1836.

Filled register books.

60.—(1) Where any marriage register book required to be kept in duplicate under this Part of this Act is filled, one copy thereof shall be delivered to the superintendent registrar and the other copy—

(*a*) in the case of a register book kept by an incumbent, shall remain in the custody of the incumbent and be kept by him with the registers of baptisms and burials of the parish or other ecclesiastical district in which the marriages registered therein have been solemnized;

(*b*) in the case of a register book kept by a registering officer of the Society of Friends or by the secretary of a synagogue, shall remain in the custody of the members of the Society of Friends or of persons professing the Jewish religion, as the case may be, to be kept with the other registers and records of the said Society or of the said persons, and shall, for the purposes of this Act, be deemed to be in the keeping of the registering officer or secretary for the time being, as the case may be;

(*c*) in the case of a register book kept by an authorised person, shall be kept in prescribed custody.

(2) Where a marriage register book kept by a registrar is filled, the registrar shall deliver it to the superintendent registrar to be kept by him with the records of his office.

Correction of errors in register book.

61.—(1) A person required to register a marriage under this Part of this Act who discovers an error in the form or substance of an entry made in a marriage register book kept by him shall not be liable to any penalty by reason only that,

PART IV —*cont.*

within one month after the discovery of the error, he corrects the erroneous entry in the presence of the parties to the marriage to which the entry relates or, in the case of the death or absence of either of those parties, in the presence of the superintendent registrar and two other credible witnesses, by entry in the margin of the register book, without any alteration of the original entry.

(2) Any such marginal entry as aforesaid shall be signed by the person by whom the entry is made and shall be attested by the persons in whose presence the entry is required to be made under the last foregoing subsection, and the person by whom the entry is made shall add the date when it is made.

(3) Where any such marginal entry is made by a person who is required to register marriages in duplicate under this Part of this Act, that person shall make the like entry, attested in the like manner, in the duplicate marriage register book.

(4) Any person who makes any such marginal entry as aforesaid shall make the like entry in the certified copy of the register book required to be made by him under this Part of this Act or, if a certified copy has already been delivered to the superintendent registrar, shall make and deliver to the superintendent registrar a separate certified copy of the original erroneous entry and of the marginal correction made therein.

(5) Where a marriage to which an erroneous entry in a marriage register relates has been solemnized according to the rites of the Church of England and either of the parties to the marriage is dead or absent, the reference in subsection (1) of this section to the superintendent registrar and two other credible witnesses shall be construed as a reference either to those persons or to the church wardens or chapel wardens of the church or chapel in which the marriage was solemnized.

Disposal of register books on church ceasing to be used for solemnization of marriages.

62.—(1) Where any church or chapel of the Church of England ceases to be used for the solemnization of marriages, whether by reason of demolition, revocation of a licence or otherwise, any marriage register books in the custody of the incumbent of that church or chapel shall forthwith be delivered to the incumbent of the church which is, or becomes, the parish church of the parish in which the disused church or chapel is situated.

(2) Any incumbent to whom any marriage register books have been delivered under the last foregoing subsection—

(*a*) shall, when he next delivers to the superintendent registrar under this Part of this Act a certified copy

PART IV. —*cont.*

of the entries in the marriage register books of marriages solemnized in the parish church, deliver also a copy of all entries which have been made in the first mentioned marriage register books after the date of the last entry therein of which a certified copy has already been delivered to the superintendent registrar; and

(*b*) shall, unless the said first mentioned marriage register books are the only register books in use for the parish, forward such of the said books as have not been filled to the Registrar General in order that they may be formally closed.

Searches in register books.

63.—(1) Every incumbent, registering officer of the Society of Friends, secretary of a synagogue and registrar by whom a marriage register book is kept shall at all reasonable hours allow searches to be made in any marriage register book in his keeping, and shall give a copy certified under his hand of any entry in such a book, on payment of the following fee, that is to say—

(*a*) for every search covering a period of not more than one year, the sum of one shilling, and for every search covering a period of more than one year, the sum of one shilling for the first year together with an additional sixpence for every additional year; and

(*b*) for every certified copy, the sum of two shillings and sixpence.

(2) The last foregoing subsection shall apply in the case of a registered building for which an authorised person has been appointed with the substitution for the reference to the incumbent of a reference to the person having the custody of a marriage register book in accordance with regulations made under section seventy-four of this Act.

Searches of indexes kept by superintendent registrars.

64.—(1) Every superintendent registrar shall cause indexes of the marriage register books in his office to be made and to be kept with the other records of his office, and the Registrar General shall supply to every superintendent registrar suitable forms for the making of such indexes.

(2) Any person shall be entitled at all reasonable hours to search the said indexes, and to have a certified copy of any entry in the said marriage register books under the hand of the superintendent registrar, on payment to the superintendent registrar of the following fee, that is to say:—

(*a*) for every general search, the sum of five shillings;

PART IV. —*cont.*

(*b*) for every particular search, the sum of one shilling; and

(*c*) for every certified copy, the sum of two shillings and sixpence.

Searches of indexes kept by Registrar General.

65.—(1) The Registrar General shall cause indexes of all certified copies of entries in marriage register books sent to him under this Part of this Act to be made and kept in the General Register Office.

(2) Any person shall be entitled to search the said indexes between the hours of ten in the morning and four in the afternoon of every day, except Sundays, Christmas Day and Good Friday, and to have a certified copy of any entry in the said certified copies of marriage register books, on payment to the Registrar General or to such other person as may be appointed to act on his behalf of the following fee, that is to say:—

(*a*) for every general search, the sum of twenty shillings;

(*b*) for every particular search, the sum of one shilling; and

(*c*) for every certified copy, the sum of two shillings and sixpence.

(3) The Registrar General shall cause all certified copies of entries given in the General Register Office to be sealed or stamped with the seal of that Office; and any certified copy of an entry purporting to be sealed or stamped with the said seal shall be received as evidence of the marriage to which it relates without any further or other proof of the entry, and no certified copy purporting to have been given in the said Office shall be of any force or effect unless it is sealed or stamped as aforesaid.

(4) Every sum received under this section by or on behalf of the Registrar General shall be accounted for by the Registrar General and paid by him, at such times as the Treasury from time to time may direct, into the Exchequer.

Sending documents by post.

66. Any certificate, return or other document required by this Part of this Act to be delivered or sent to the Registrar General, a superintendent registrar or a registrar may be sent by post.

Interpretation of Part IV.

67. In this Part of this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

" general search " means a search conducted during any number of successive hours not exceeding six, without the object of the search being specified;

PART IV. —*cont.*

" incumbent " has the meaning assigned to it by section fifty-four of this Act;

" particular search " means a search of the indexes covering a period not exceeding five years for a specified entry;

" registering officer of the Society of Friends " means a person whom the recording clerk of the Society of Friends certifies in writing under his hand to the Registrar General to be a registering officer in England of that Society;

" secretary of a synagogue " means—

(*a*) a person whom the President of the London Committee of Deputies of the British Jews certifies in writing to the Registrar General to be the secretary of a synagogue in England of persons professing the Jewish religion;

(*b*) the person whom twenty householders professing the Jewish religion and being members of the West London Synagogue of British Jews certify in writing to the Registrar General to be the secretary of that Synagogue;

(*c*) a person whom the secretary of the said Synagogue certifies in writing to be the secretary of some other synagogue of not less than twenty householders professing the Jewish religion, being a synagogue which is connected with the said West London Synagogue and has been established for not less than one year;

" superintendent registrar " means—

(*a*) in the case of a marriage registered by a clergyman, the superintendent registrar of the registration district in which the church or chapel in which the marriage was solemnized is situated;

(*b*) in the case of a marriage registered by a registering officer of the Society of Friends, the superintendent registrar of the registration district which is assigned by the Registrar General to that registering officer;

(*c*) in the case of a marriage registered by the secretary of a synagogue, the superintendent registrar of the registration district which is assigned by the Registrar General to that secretary;

(*d*) in the case of a marriage registered by an authorised person, the superintendent registrar of

PART IV. —*cont.*

the registration district in which the registered building in which the marriage was solemnized is situated;

(*e*) in the case of a marriage registered by a registrar, the superintendent registrar of the registration district within which that registrar was appointed to act.

PART V.

MARRIAGES IN NAVAL, MILITARY, AND AIR FORCE CHAPELS.

Solemnization of marriages in naval, military, and air force chapels.

68.—(1) The use of any chapel to which this Part of this Act applies for the publication therein of banns of marriages to which this Part of this Act applies, and for the solemnization therein, whether according to the rites of the Church of England or otherwise, of such marriages, may be authorised under and subject to the provisions of this Part of this Act.

(2) This Part of this Act shall apply only to chapels which are certified by the Admiralty to be naval chapels and to chapels which are certified by a Secretary of State to be military or air force chapels, and shall apply only to marriages between parties of whom one at least is a qualified person, that is to say a person who, at the relevant date—

(*a*) is serving in the Royal Navy, the Royal Marines, the Regular Land Forces or the Regular Air Forces; or

(*b*) has served in any force mentioned in the last foregoing paragraph otherwise than with a commission granted or under an engagement entered into only for the purpose of a war or other national emergency; or

(*c*) is, as a member of a reserve of officers, a reserve force, the Territorial Army or the Auxiliary Air Force, called out on actual or permanent service or embodied; or

(*d*) is a woman actually employed in any capacity specified in the Third Schedule to this Act, as amended by any Order in Council for the time being in force under this section, in the service of any force mentioned in the foregoing paragraphs of this subsection; or

(*e*) is a daughter of a person qualified under any of the foregoing paragraphs of this subsection.

PART V. —*cont.*

(3) For the purposes of the last foregoing subsection, the expression " relevant date " means—

(*a*) in a case where notice is given under section eight of this Act before publications of banns, the date of the notice;

(*b*) in a case where banns are published without such notice, the date of the first publication of banns;

(*c*) in a case where an oath is taken under section sixteen of this Act for the purpose of obtaining a common licence, the date of taking the oath;

(*d*) in any other case, the date when notice of marriage is given to the superintendent registrar under section twenty-seven of this Act;

and the expression " daughter " includes a daughter adopted under the Adoption of Children Act, 1926, but does not include a step-daughter.

(4) His Majesty may by Order in Council direct that subject to any exceptions specified in the Order, there shall be added to Part I, Part II or Part III of the Third Schedule to this Act, women in the service of any of His Majesty's naval, military or air forces respectively in such capacities as may be specified in the Order.

(5) An Order in Council made under the last foregoing subsection may be varied or revoked by a subsequent Order in Council.

(6) Nothing in this Part of this Act shall be taken to confer upon any person a right to be married in a chapel to which this Part of this Act applies.

Licensing of chapels for marriages according to rites of Church of England.

69.—(1) With respect to marriages according to the rites of the Church of England, the bishop of the diocese in which any chapel to which this Part of this Act applies is situated may, on the application of the Admiralty, in the case of a naval chapel, or of a Secretary of State, in the case of any other chapel, by licence authorise the publication of banns of marriages to which this Part of this Act applies, and the solemnization of such marriages, in the chapel, and while any such licence in respect of the chapel is in force—

(*a*) any such banns or marriages which could lawfully be published or solemnized in the parish church of the parish in which the chapel is situated may be published or solemnized in the chapel; and

(*b*) the foregoing provisions of this Act relating to marriages according to the rites of the Church of England (excluding the provisions specified in Part I of the Fourth Schedule to this Act) shall apply in

PART V —*cont.*

relation to the chapel, and in relation to the publication of banns therein, and in relation to marriages solemnized or intended to be solemnized therein according to those rites, as if the chapel were a parish church:

Provided that the provisions of this Act specified in Part II of the said Schedule shall apply subject to the modifications specified in that Part.

(2) Where a licence has been issued in respect of a chapel under this section, the bishop of the diocese in which the chapel is situated may at any time, and shall on the application of the Admiralty or a Secretary of State, revoke the licence.

(3) Upon the issue or revocation of a licence under this section, the registrar of the diocese shall register that fact and give notice thereof in writing to the Admiralty or a Secretary of State, as the case may be, who shall cause a copy of the notice to be published in the London Gazette and in some newspaper circulating in the diocese and to be sent to the Registrar General.

(4) The Admiralty or any person authorised by them, in the case of a naval chapel licensed under this section, and a Secretary of State or any person authorised by him, in the case of any other chapel so licensed, shall appoint one or more clergymen for the purpose of registering marriages solemnized in the chapel according to the rites of the Church of England, and no marriage shall be solemnized in the chapel according to those rites except in the presence of a clergyman so appointed.

(5) The provisions of this Act, and of any regulations made under section seventy-four of this Act, relating to the registration of marriages by authorised persons shall apply in relation to marriages solemnized according to the rites of the Church of England in a chapel licensed under this section as they apply in relation to marriages solemnized in a registered building without the presence of a registrar, subject to the following modifications:—

(*a*) for any reference in those provisions to an authorised person there shall be substituted a reference to a clergyman appointed under this section, and

(*b*) for any reference in those provisions to the trustees or governing body of a registered building there shall be substituted a reference to the Admiralty or any person authorised by them, in the case of a naval chapel, and a reference to a Secretary of State or any person authorised by him, in the case of any other chapel.

PART V. —*cont.*

Registration of chapels for marriages otherwise than according to rites of Church of England.

70.—(1) With respect to marriages otherwise than according to the rites of the Church of England, the Registrar General shall, on the application of the Admiralty, in the case of a naval chapel, or of a Secretary of State, in the case of any other chapel, register any chapel to which this Part of this Act applies for the solemnization therein of marriages to which this Part of this Act applies, and while any chapel is so registered—

(*a*) any such marriages which could lawfully be solemnized in a registered building situated in the same registration district as the chapel, may be solemnized in the chapel; and

(*b*) the foregoing provisions of this Act relating to marriages otherwise than according to the rites of the Church of England and to the registration of such marriages (excluding the provisions specified in Part III of the Fourth Schedule to this Act) shall apply in relation to the chapel, and in relation to marriages solemnized or intended to be solemnized therein otherwise than according to those rites, as if the chapel were a registered building:

Provided that the provisions of this Act specified in Part IV of the said Schedule shall apply subject to the modifications specified in that Part.

(2) The Registrar General shall, on the application of the Admiralty or a Secretary of State, as the case may be, cancel the registration of any chapel registered by him under this section.

(3) Immediately after registering, or cancelling the registration of, any chapel under this section, the Registrar General shall cause notice of that fact to be published in the London Gazette and in some newspaper circulating in the registration district in which the chapel is situated and to be given to the superintendent registrar of that district, who shall record the registration or cancellation in such manner as may be prescribed by the Registrar General.

Evidence of marriages under Part V.

71. Where a marriage has been solemnized under this Part of this Act, it shall not be necessary, in support of the marriage, to give any proof—

(*a*) that the chapel in which the marriage was solemnized was certified or licensed or registered in accordance with this Part of this Act; or

(*b*) that either of the parties was a qualified person within the meaning of this Part of this Act; or

(*c*) in the case of a marriage according to the rites of the Church of England, that the marriage was solemnized in the presence of a clergyman duly appointed under this Part of this Act for the purpose of registering marriages;

and no evidence shall be given to prove the contrary in any proceedings touching the validity of any such marriage.

PART VI.

GENERAL.

Supplementary provisions as to marriages in usual places of worship.

72.—(1) For the purposes of the following provisions of this Act, that is to say, subsection (4) of section six, paragraph (*b*) of subsection (1) of section fifteen and subsection (3) of section thirty-five, no parish church or authorised chapel shall be deemed to be the usual place of worship of any person unless he is enrolled on the church electoral roll of the area in which that church or chapel is situated, and where any person is enrolled on the church electoral roll of an area in which he does not reside that enrolment shall be sufficient evidence that his usual place of worship is a parish church or authorised chapel in that area.

(2) Persons intending to be married shall have the like but no greater right of having their banns published and marriage solemnized by virtue of the said provisions in a parish church or authorised chapel which is the usual place of worship of one or both of them as they have of having their banns published and marriage solemnized in the parish church or public chapel of the parish or chapelry in which they or one of them resides.

(3) Where any marriage has been solemnized by virtue of the said provisions it shall not be necessary in support of the marriage to give any proof of the actual enrolment of the parties or of one of them on the church electoral roll of the area in which the parish church or authorised chapel in which the marriage was solemnized was situated, nor shall any evidence be given to prove the contrary in any proceedings touching the validity of the marriage.

(4) In this section the expression " church electoral roll " means a church electoral roll provision for which is made in the Rules for the Representation of the Laity contained in the Schedule to the Representation of the Laity Measure, 1929.

PART VI —*cont.*

Lists of licensed chapels and registered buildings.

73.—(1) The registrar of every diocese shall, within fifteen days after the first day of January in every year, make out and send by post to the Registrar General at his office a list of all chapels within that diocese in which marriages may be solemnized according to the rites of the Church of England (being chapels which belong to the Church of England or have been licensed under Part V of this Act), and shall distinguish in that list which chapels have a parish, chapelry or other recognised ecclesiastical division annexed to them, which are chapels licensed under section twenty of this Act and which are chapels licensed under the said Part V, and, in the case of chapels licensed under the said section twenty, shall state in the list the district for which each chapel is licensed according to the description thereof in the licence.

(2) The Registrar General shall in every year make out and cause to be printed a list of all chapels included in any list sent to him under the last foregoing subsection and of all registered buildings and shall state in that list the county and registration district within which each chapel or registered building is situated and the names and places of residence of the superintendent registrars, registrars and deputy registrars of each district.

(3) A copy of every list made by the Registrar General under the last foregoing subsection shall be sent to every registrar and superintendent registrar.

Regulations.

74. The Registrar General, with the approval of the Minister of Health, may by statutory instrument make regulations—

(*a*) prescribing the duties of superintendent registrars, registrars, and authorised persons under this Act;

(*b*) prescribing any thing which by this Act is required to be prescribed.

Offences relating to solemnization of marriages.

75.—(1) Any person who knowingly and wilfully—

(*a*) solemnizes a marriage at any other time than between the hours of eight in the forenoon and six in the afternoon (not being a marriage by special licence, a marriage according to the usages of the Society of Friends or a marriage between two persons professing the Jewish religion according to the usages of the Jews);

(*b*) solemnizes a marriage according to the rites of the Church of England without banns of matrimony having been duly published (not being a marriage solemnized on the authority of a special licence, a common licence or a certificate of a superintendent registrar);

(*c*) solemnizes a marriage according to the said rites (not being a marriage by special licence) in any place other than a church or other building in which banns may be published;

(*d*) solemnizes a marriage according to the said rites falsely pretending to be in Holy Orders;

shall be guilty of felony and shall be liable to imprisonment for a term not exceeding fourteen years.

(2) Any person who knowingly and wilfully—

(*a*) solemnizes a marriage (not being a marriage by special licence, a marriage according to the usages of the Society of Friends or a marriage between two persons professing the Jewish religion according to the usages of the Jews) in any place other than—

(i) a church or other building in which marriages may be solemnized according to the rites of the Church of England, or

(ii) the registered building or office specified in the notice of marriage and certificate required under Part III of this Act;

(*b*) solemnizes a marriage in any such registered building as aforesaid (not being a marriage in the presence of an authorised person) in the absence of a registrar of the district in which the registered building is situated;

(*c*) solemnizes a marriage in the office of a superintendent registrar in the absence of a registrar of the district in which the office is situated;

(*d*) solemnizes a marriage on the authority of a certificate of a superintendent registrar (not being a marriage by licence) within twenty-one days after the day on which the notice of marriage was entered in the marriage notice book; or

(*e*) solemnizes a marriage on the authority of a certificate of a superintendent registrar after the expiration of three months from the said day on which the notice of marriage was entered as aforesaid;

shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.

(3) A superintendent registrar who knowingly and wilfully—

(*a*) issues any certificate for marriage (not being a marriage by licence) before the expiration of twenty-one days from the day on which the notice of marriage

PART VI. —*cont.*

was entered in the marriage notice book, or issues a certificate for marriage by licence before the expiration of one whole day from the said day on which the notice was entered as aforesaid;

(*b*) issues any certificate or licence for marriage after the expiration of three months from the said day;

(*c*) issues any certificate the issue of which has been forbidden under section thirty of this Act by any person entitled to forbid the issue of such a certificate; or

(*d*) solemnizes or permits to be solemnized in his office any marriage which is void by virtue of any of the provisions of Part III of this Act;

shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.

(4) No prosecution under this section shall be commenced after the expiration of three years from the commission of the offence.

(5) Any reference in subsection (2) of this section to a registered building shall be construed as including a reference to any chapel registered under section seventy of this Act.

Offences relating to registration of marriages.

76.—(1) Any person who refuses or without reasonable cause omits to register any marriage which he is required by this Act to register, and any person having the custody of a marriage register book or a certified copy of a marriage register book or part thereof who carelessly loses or injures the said book or copy or carelessly allows the said book or copy to be injured while in his keeping, shall be liable on summary conviction to a fine not exceeding fifty pounds.

(2) Where any person who is required under Part IV of this Act to make and deliver to a superintendent registrar a certified copy of entries made in the marriage register book kept by him, or a certificate that no entries have been made therein since the date of the last certified copy, refuses to deliver any such copy or certificate, or fails to deliver any such copy or certificate during any month in which he is required to do so, he shall be liable on summary conviction to a fine not exceeding ten pounds.

(3) Any registrar who knowingly and wilfully registers any marriage which is void by virtue of any of the provisions of Part III of this Act shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.

PART VI. —*cont.*

(4) The balance of any sum paid or recovered on account of a fine imposed under subsection (1) or subsection (2) of this section, after making any such payments in respect of court or police fees as are mentioned in paragraphs (*a*), (*b*) and (*c*) of subsection (1) of section five of the Criminal Justice Administration Act, 1914, shall be paid—

(*a*) in the case of a fine imposed under subsection (1) of this section, into the Exchequer; and

(*b*) in the case of a fine imposed under subsection (2) of this section, to the Registrar General or such other person as may be appointed by the Treasury, for the use of His Majesty.

(5) Subject as may be prescribed, a superintendent registrar may prosecute any person guilty of an offence under either of the said subsections committed within his district, and any costs incurred by the superintendent registrar in prosecuting such a person, being costs which are not otherwise provided for, shall be defrayed out of moneys provided by Parliament.

(6) No prosecution under subsection (3) of this section shall be commenced after the expiration of three years from the commission of the offence.

Offences by authorised persons.

77. Any authorised person who refuses or fails to comply with the provisions of this Act or of any regulations made under section seventy-four thereof shall be guilty of an offence against this Act, and, unless the offence is one for which a specific penalty is provided under the foregoing provisions of this Part of this Act, shall be liable, on summary conviction, to a fine not exceeding ten pounds or, on conviction on indictment, to imprisonment 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.

Interpretation.

78.—(1) In this Act, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

" authorised chapel " means—

(*a*) in relation to a chapelry, a chapel of the chapelry in which banns of matrimony could lawfully be published immediately before the passing of the Marriage Act, 1823, or in which banns may be published and marriages may be solemnized by virtue of section two of the Marriages Confirmation Act, 1825, or of an authorisation given under section three of the Marriage Act, 1823;

(*b*) in relation to an extra-parochial place, a church or chapel of that place in which banns may

PART VI. —*cont.*

be published and marriages may be solemnized by virtue of section two of the Marriages Confirmation Act, 1825, or of an authorisation given under section three of the Marriage Act, 1823, or section twenty-one of this Act;

(*c*) in relation to a district specified in a licence granted under section twenty of this Act, the chapel in which banns may be published and marriages may be solemnized by virtue of that licence;

" authorised person " has the meaning assigned to it by section forty-three of this Act;

" brother " includes a brother of the half blood ;

" clergyman " means a clerk in Holy Orders of the Church of England;

" common licence " has the meaning assigned to it by section five of this Act;

" ecclesiastical district," in relation to a district other than a parish, means a district specified in a licence granted under section twenty of this Act, a chapelry or an extra-parochial place;

" infant " means a person under the age of twenty-one years;

" marriage notice book " has the meaning assigned to it by section twenty-seven of this Act;

" parish " means an ecclesiastical parish and includes a district constituted under the Church Building Acts, 1818 to 1884, notwithstanding that the district has not become a new parish by virtue of section fourteen of the New Parishes Act, 1856, or section five of the New Parishes Measure, 1943, being a district to which Acts of Parliament relating to the publication of banns of matrimony and the solemnization of marriages were applied by the said Church Building Acts as if the district had been an ancient parish, and the expression " parish church " shall be construed accordingly;

" prescribed " means prescribed by regulations made under section seventy-four of this Act;

" registered building " means a building registered under Part III of this Act;

" registrar " means a registrar of marriages;

PART VI. —*cont.*

" Registrar General " means the Registrar General of Births, Deaths and Marriages in England;

" registration district " means the district of a superintendent registrar;

" sister " includes a sister of the half-blood;

" special licence " has the meaning assigned to it by section five of this Act;

" superintendent registrar " means a superintendent registrar of births, deaths and marriages;

" trustees or governing body," in relation to Roman Catholic registered buildings, includes a bishop or vicar general of the diocese.

(2) Any reference in this Act to the Church of England shall, unless the context otherwise requires, be construed as including a reference to the Church in Wales.

Repeals and savings.

79.—(1) The Acts specified in Part I of the Fifth Schedule to this Act, and the Measures of the Church Assembly specified in Part II of that Schedule, are hereby repealed to the extent specified in relation thereto in the third column of that Schedule.

(2) Any banns published, licence or certificate issued, notice, consent, authorisation or direction given, Order in Council, rules, order, declaration, return, appointment or entry made, registration effected, caveat entered or other thing done under any enactment repealed by this Act shall, if in force at the commencement of this Act, continue in force, and have effect as if published, issued, given, made, effected, entered or done under the corresponding provision of this Act.

(3) Where a period of time specified in any enactment repealed by this Act is current at the commencement of this Act, this Act shall have effect as if the corresponding provision thereof had been in force when that period began to run.

(4) Any document referring to an enactment repealed by this Act shall be construed as referring to the corresponding provision of this Act.

(5) Nothing in this Act shall affect any law or custom relating to the marriage of members of the Royal Family.

(6) Nothing in this Act shall affect the right of the Archbishop of Canterbury or any other person by virtue of the Ecclesiastical Licences Act, 1533, to grant special licences to marry at any convenient time or place, or affect the validity of any marriage solemnized on the authority of such a licence.

PART VI. —*cont.*

(7) Nothing in this Act shall affect the validity of any marriage solemnized before the commencement of this Act.

(8) Nothing in this Act shall affect any authority given under section three of the Marriage Act, 1823, before the repeal thereof for the publication of banns and the solemnization of marriages in any chapel, or affect the operation of section four of that Act in relation to that chapel.

(9) Nothing in this Act shall affect any right, title, estate, interest, will, claim, payment, commutation, composition, discharge, settlement or other thing, or the devolution or distribution of any property which, by virtue of section two of the Deceased Wife's Sister's Marriage Act, 1907, was not affected by the Marriage (Prohibited Degrees of Relationship) Acts, 1907 to 1931.

(10) Nothing in this Act shall enable any proceedings to be taken in an ecclesiastical court which could not have been taken if this Act had not been passed.

(11) Nothing in this Act shall require any caution or security to be given which would not have required to be given if this Act had not been passed.

(12) Nothing in this Act shall affect any power to extend a Measure of the Church Assembly to the Channel Islands or affect any such Measure which has been so extended.

(13) Nothing in the foregoing provisions of this section shall be taken as prejudicing the operation of section thirty-eight of the Interpretation Act, 1889 (which relates to the effect of repeals).

Short title, extent and commencement.

80.—(1) This Act may be cited as the Marriage Act, 1949.

(2) Save as is otherwise expressly provided, this Act shall not extend to Scotland or to Northern Ireland.

(3) The provisions of this Act specified in the Sixth Schedule to this Act shall not extend to Wales or Monmouthshire.

(4) This Act shall come into force on the first day of January, nineteen hundred and fifty.

SCHEDULES.

Section 1.

FIRST SCHEDULE.

KINDRED AND AFFINITY.

PART I.

Prohibited degrees of relationship.

Mother	Father
Daughter	Son
Father's mother	Father's father
Mother's mother	Mother's father
Son's daughter	Son's son
Daughter's daughter	Daughter's son
Sister	Brother
Wife's mother	Husband's father
Wife's daughter	Husband's son
Father's wife	Mother's husband
Son's wife	Daughter's husband
Father's father's wife	Father's mother's husband
Mother's father's wife	Mother's mother's husband
Wife's father's mother	Husband's father's father
Wife's mother's mother	Husband's mother's father
Wife's son's daughter	Husband's son's son
Wife's daughter's daughter	Husband's daughter's son
Son's son's wife	Son's daughter's husband
Daughter's son's wife	Daughter's daughter's husband
Father's sister	Father's brother
Mother's sister	Mother's brother
Brother's daughter	Brother's son
Sister's daughter	Sister's son

PART II.

Statutory exceptions from prohibited degrees of relationship.

Deceased wife's sister	Deceased sister's husband
Deceased brother's wife	Deceased husband's brother
Deceased wife's brother's daughter	Father's deceased sister's husband
Deceased wife's sister's daughter	Mother's deceased sister's husband
Father's deceased brother's wife	Deceased husband's brother's son
Mother's deceased brother's wife	Deceased husband's sister's son
Deceased wife's father's sister	Brother's deceased daughter's husband
Deceased wife's mother's sister	Sister's deceased daughter's husband
Brother's deceased son's wife	Deceased husband's father's brother
Sister's deceased son's wife	Deceased husband's mother's brother

Section 3.

SECOND SCHEDULE.

CONSENTS REQUIRED TO THE MARRIAGE OF AN INFANT BY COMMON LICENCE OR SUPERINTENDENT REGISTRAR'S CERTIFICATE.

I. WHERE THE INFANT IS LEGITIMATE.

Circumstances.	*Person or Persons whose consent is required.*
1. Where both parents are living:	
(*a*) if parents are living together;	Both parents.
(*b*) if parents are divorced or separated by order of any court or by agreement;	The parent to whom the custody of the infant is committed by order of the court or by the agreement, or, if the custody of the infant is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents.
(*c*) if one parent has been deserted by the other;	The parent who has been deserted.
(*d*) if both parents have been deprived of custody of infant by order of any court.	The person to whose custody the infant is committed by order of the court.
2. Where one parent is dead:	
(*a*) if there is no other guardian;	The surviving parent.
(*b*) if a guardian has been appointed by the deceased parent.	The surviving parent and the guardian if acting jointly, or the surviving parent or the guardian if the parent or guardian is the sole guardian of the infant.
3. Where both parents are dead.	The guardians or guardian appointed by the deceased parents or by the court under section four of The Guardianship of Infants Act, 1925.

II. WHERE THE INFANT IS ILLEGITIMATE.

Circumstances.	*Person whose consent is required.*
If the mother of the infant is alive.	The mother, or if she has by order of any court been deprived of the custody of the infant, the person to whom the custody of the infant has been committed by order of the court.
If the mother of the infant is dead.	The guardian appointed by the mother.

THIRD SCHEDULE.

Section 68.

CAPACITIES REFERRED TO IN SECTION 68 (2) (*d*) OF THIS ACT.

PART I.

NAVAL FORCES.

Employment with the medical branch of the Royal Navy as an officer.

Member of the Women's Royal Naval Service.

Member of Queen Alexandra's Royal Naval Nursing Service, or its reserve.

PART II.

MILITARY FORCES.

Employment with the Royal Army Medical Corps as an officer.

Member of Queen Alexandra's Imperial Military Nursing Service, or its reserve.

Member of the Auxiliary Territorial Service.

PART III.

AIR FORCES.

Employment with the medical branch of the Royal Air Force as an officer.

Member of Princess Mary's Royal Air Force Nursing Service, or its reserve.

Member of the Women's Auxiliary Air Force.

Sections 69, 70.

FOURTH SCHEDULE.

PROVISIONS OF ACT WHICH ARE EXCLUDED OR MODIFIED IN THEIR APPLICATION TO NAVAL, MILITARY AND AIR FORCE CHAPELS.

PART I.

EXCLUSION OF PROVISIONS RELATING TO MARRIAGES ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND.

Subsection (4) of section six.

Paragraph (*b*) of subsection (1) of section fifteen.

The proviso to section seventeen.

Section eighteen.

Section twenty.

Subsection (3) of section thirty-five.

The proviso to subsection (1) of section forty-four.

Sections fifty-three to fifty-seven, fifty-nine and sixty, so far as those sections relate to the registration of marriages by clergymen and to the duties of incumbents in relation to marriage register books.

PART II.

MODIFICATION OF PROVISIONS RELATING TO MARRIAGES ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND.

Subsection (1) of section six shall apply as if the chapel were the parish church of the parish in which the chapel is situated.

Subsection (3) of section seven shall apply as if for the reference to the parochial church council there were substituted, in relation to a naval chapel, a reference to the Admiralty and, in relation to any other chapel, a reference to a Secretary of State.

Section eight shall apply as if it required the notice in writing mentioned therein to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act, and to specify the person so qualified and the nature of his qualification.

4TH SCH. —*cont.*

Paragraph (*a*) of subsection (1) of section fifteen shall apply as if the chapel were the parish church of the parish in which the chapel is situated.

Subsection (1) of section sixteen shall apply as if it required the oath, which is to be taken thereunder, to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Subsection (3) of section twenty-seven shall apply as if it required the notice of marriage to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Section fifty shall apply as if for the reference to the officiating clergyman there were substituted a reference to the clergyman appointed under section sixty-nine of this Act for the purpose of registering marriages, in whose presence the marriage is solemnized.

PART III.

EXCLUSION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND.

The proviso to section seventeen.

The proviso to subsection (2) of section twenty-six.

Section forty-one.

Section forty-two.

The proviso to subsection (1) of section forty-four.

PART IV.

MODIFICATION OF PROVISIONS RELATING TO MARRIAGES OTHERWISE THAN ACCORDING TO THE RITES OF THE CHURCH OF ENGLAND.

Subsection (3) of section twenty-seven shall apply as if it required the notice of marriage to include a statement that one at least of the persons to be married is a qualified person within the meaning of Part V of this Act and to specify the person so qualified and the nature of his qualification.

Sections forty-three, forty-four and fifty-four shall apply as if for any reference to the trustees or governing body of a building there were substituted a reference to the Admiralty or any person authorised by them, in the case of a naval chapel, and a reference to a Secretary of State or any person authorised by him, in the case of any other chapel.

Section 79.

FIFTH SCHEDULE.

ENACTMENTS REPEALED.

PART I.

Acts of Parliament repealed.

Session and Chapter.	Short Title.	Extent of Repeal.
32 Hen. 8, c. 38	The Marriage Act, 1540	The whole Act.
2 & 3 Edw. 6, c. 23.	—	The whole Act.
4 Geo. 4, c. 76	The Marriage Act, 1823	The whole Act.
5 Geo. 4, c. 32	The Marriage Act, 1824	The whole Act.
11 Geo. 4 & 1 Will. 4, c.18.	The Marriage Confirmation Act, 1830.	Section two.
11 Geo. 4 & 1 Will. 4, c. 66.	The Forgery Act, 1830	In section twenty-one the words "marriage" and "or of the parties married".
5 & 6 Will. 4, c. 54.	The Marriage Act, 1835	The whole Act.
6 & 7 Will. 4, c. 85.	The Marriage Act, 1836	The whole Act except sections three, seventeen and forty-five.
6 & 7 Will. 4, c. 86.	The Births and Deaths Registration Act, 1836.	Sections thirty, thirty-one, thirty-three, forty, forty-two and forty-four and Schedule C, and so much of sections seventeen, thirty-four, thirty-five, thirty-seven and thirty-eight as relates to registers of marriages or to certified copies thereof.
7 Will. 4 & 1 Vict. c. 22.	The Births and Deaths Registration Act, 1837.	Sections one, three, five, twenty-three, twenty-seven and thirty-three to thirty-six, and so much of sections twenty-six, twenty-eight and twenty-nine as relates to registers of marriages or to certified copies thereof.
3 & 4 Vict. c. 72	The Marriage Act, 1840	The whole Act.
19 & 20 Vict. c. 119.	The Marriage and Registration Act, 1856.	The whole Act except sections fifteen, sixteen, twenty-four and twenty-five.
20 Vict. c. 19...	The Extra-Parochial Places Act, 1857.	Sections nine and ten.
23 & 24 Vict. c. 18.	The Marriage (Society of Friends) Act, 1860.	The whole Act.
23 & 24 Vict. c. 24.	The Marriage Confirmation Act, 1860.	The whole Act.
35 & 36 Vict. c. 10.	The Marriage (Society of Friends) Act, 1872.	The whole Act.

5TH SCH. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
37 & 38 Vict. c. 88.	The Births and Deaths Registration Act, 1874.	Section thirty-two so far as it relates to the making of indexes of registers of marriages, section forty-one so far as it relates to documents relating to marriages, and the Second Schedule so far as it relates to fees payable for searches in marriage registers and for certified copies of entries therein.
49 & 50 Vict. c. 3.	The Marriages Validity Act, 1886.	The whole Act.
49 & 50 Vict. c. 14.	The Marriage Act, 1886	The whole Act.
61 & 62 Vict. c. 58.	The Marriage Act, 1898	The whole Act.
62 & 63 Vict. c. 27.	The Marriages Validity Act, 1899.	The whole Act so far as it relates to marriages solemnized in England.
7 Edw. 7, c. 47	The Deceased Wife's Sister's Marriage Act, 1907.	The whole Act.
8 Edw. 7, c. 26	The Naval Marriages Act, 1908.	The whole Act so far as it relates to marriages solemnized in England.
11 & 12 Geo. 5, c. 24.	The Deceased Brother's Widow's Marriage Act, 1921.	The whole Act.
15 & 16 Geo. 5, c. 45.	The Guardianship of Infants Act, 1925.	Section nine, in subsection (2) of section eleven the words "except so far as it amends the law relating to the marriage of infants" and the Schedule.
19 & 20 Geo. 5, c. 36.	The Age of Marriage Act, 1929.	In section one, in subsection (1) the words from the beginning to "Provided that" and paragraph (*a*) of subsection (2).
21 & 22 Geo. 5, c. 31.	The Marriage (Prohibited Degrees of Relationship) Act, 1931.	Section one and in subsection (1) of section three the words from "and this Act" to the end of the subsection and subsections (2) (3) and (4) of that section.
22 & 23 Geo. 5, c. 31.	The Marriage (Naval, Military, and Air Force Chapels) Act, 1932.	The whole Act.
24 & 25 Geo. 5, c. 13.	The Marriage (Extension of Hours) Act, 1934.	In section one, subsection (1) and in subsection (2) the words "the Marriage Act, 1886 and", section two, and in section three the words "and this Act and the Marriage Acts, 1811 to 1932 may be cited together as the Marriage Acts, 1811 to 1934".

5TH SCH. —*cont.*

Session and Chapter.	Short Title.	Extent of Repeal.
2 & 3 Geo. 6, c. 33.	The Marriage Act, 1939	Section one, so far as it relates to marriages solemnized in England, in subsection (3) of section two the words "section eight of the Marriage and Registration Act, 1856, section three of the Naval Marriages Act, 1908 and" and section three.
2 & 3 Geo. 6, c. 35.	The Marriages Validity Act, 1939.	The whole Act.
4 & 5 Geo. 6, c. 47.	The Marriage (Members of His Majesty's Forces) Act, 1941.	The whole Act.

PART II.

Church Assembly Measures repealed.

14 & 15 Geo. 5, No. 2.	The Union of Benefices Measure, 1923.	Subsection (3) of section twenty-five.
20 & 21 Geo. 5, No. 3.	The Marriage Measure, 1930.	The whole Measure.
24 & 25 Geo. 5, No. 2.	The Banns of Marriage Measure, 1934.	The whole Measure.
1 & 2 Geo. 6, No. 1.	The Marriage (Licensing of Chapels) Measure, 1938.	The whole Measure.
4 & 5 Geo. 6, No. 1.	The Diocesan Reorganisation Committees Measure, 1941.	Paragraph (iii) of subsection (3) of section three.
6 & 7 Geo. 6, No. 1.	The New Parishes Measure, 1943.	Section twenty-five.
7 & 8 Geo. 6, No. 1.	The Reorganisation Areas Measure, 1944.	In section twenty-four the words "marriage registers and other" and the proviso to that section and subsection (2) of section twenty-eight.
12 & 13 Geo. 6, No. 3.	The Pastoral Reorganisation Measure, 1949.	In subsection (1) of section six the words from "and where banns" to the end of the subsection.

SIXTH SCHEDULE.

Section 80.

PROVISIONS OF ACT WHICH DO NOT EXTEND TO WALES.

Subsection (4) of section six.

Section nine.

Section ten.

Subsection (2) of section eleven.

Paragraph (*b*) of subsection (1) of section fifteen.

Paragraph (*b*) of subsection (1) of section sixteen so far as it relates to marriages to be solemnized in the usual place of worship of one of the parties.

Section nineteen.

Subsection (7) of section twenty.

Section twenty-three.

Subsection (3) of section thirty-five.

Section seventy-two.

TABLE OF STATUTES REFERRED TO IN THIS ACT.

Short Title.	Session and Chapter.
Ecclesiastical Licences Act, 1533	25 Hen. 8. c. 21.
Marriage Act, 1823	4 Geo. 4. c. 76.
Marriage Confirmation Act, 1825	6 Geo. 4. c. 92.
Births and Deaths Registration Act, 1836 ...	6 & 7 Will. 4. c. 86.
New Parishes Act, 1856	19 & 20 Vict. c. 104.
Marriage Notice (Scotland) Act, 1878	41 & 42 Vict. c. 43.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
Deceased Wife's Sister's Marriage Act, 1907 ...	7 Edw. 7. c. 47.
Criminal Justice Administration Act, 1914 ...	4 & 5 Geo. 5. c. 58.
Union of Benefices Measure, 1923	14 & 15 Geo. 5. No. 2.
Guardianship of Infant Act, 1925	15 & 16 Geo. 5. c. 45.
Adoption of Children Act, 1926	16 & 17 Geo. 5. c. 29.
Representation of the Laity Measure, 1929 ...	19 & 20 Geo. 5. No. 2.
Diocesan Reorganisation Committees Measure, 1941	4 & 5 Geo. 6. No. 1.
New Parishes Measure, 1943	6 & 7 Geo. 6. No. 1.
Reorganisation Areas Measure, 1944	7 & 8 Geo. 6. No. 1.
Pastoral Reorganisation Measure, 1949	12 & 13 Geo. 6. No. 3.
Consolidation of Enactments (Procedure) Act, 1949	12 & 13 Geo. 6. c. 33.