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CHAPTER 20.

An Act to amend the law of Scotland with regard to notice of intended marriage and to subscription by persons unable to write of documents required for the purpose of marriage. [11th June 1942.]

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 :—

Notice of intended marriage in Scotland during war period.

1.—(1) A party to a marriage intended to be celebrated or contracted in Scotland who had his usual residence in Scotland on the third day of September nineteen hundred and thirty-nine may, whether or not he has ceased to reside in Scotland, give to the registrar of the parish or district in which he had his usual residence on the said day notice of the intended marriage in accordance with the provisions of section seven of the Marriage Notice (Scotland) Act, 1878, or of section one of the Marriage (Scotland) (Emergency Provisions) Act, 1940, in like manner as if he had resided in the aforesaid parish or district for a period of fifteen clear days immediately previous to the giving of such notice, and the provisions of the said Acts relating to notices of intended marriages and the granting of certificates of the due publication thereof shall apply accordingly.

41 & 42 Vict. c. 43.
3 & 4 Geo. 6. c. 30.

(2) The foregoing subsection shall cease to have effect when the Emergency Powers (Defence) Act, 1939, expires.

2 & 3 Geo. 6. c. 62.

Amendment of 41 & 42 Vict. c. 43. ss. 7 & 10.

2.—(1) Section seven of the Marriage Notice (Scotland) Act, 1878 (which enables notices of intended marriages in Scotland to be given to registrars) shall be amended—

(*a*) by the omission of the words " residing in Scotland " ; and

(*b*) by the insertion

(i) after the words "he or she shall have" of the words "his or her usual residence or have" and

(ii) after the words "fifteen clear days" of the word "immediately".

(2) Section ten of the Marriage Notice (Scotland) Act, 1878 (which provides for the manner in which objections to an intending marriage are to be dealt with) shall be amended by the substitution in paragraph (*a*) for the words from "the persons intending" to "giving notice" of the words "either of the persons intending to contract marriage was not qualified by virtue of residence within the parish or district to give the notice".

Power to alter Schedules to 41 & 42 Vict. c. 43.

3. It shall be lawful for the Secretary of State by Order from time to time to alter the Schedules annexed to the Marriage Notice (Scotland) Act, 1878, regard being had to the provisions of that Act as amended by any subsequent enactment including this Act.

Signature of blind, &c., persons for purpose of s. 1 of 2 & 3 Geo. 6. c. 34.

4. Any person whose signature is required for the purpose of a marriage in accordance with the provisions of section one of the Marriage (Scotland) Act, 1939, and who, by reason of blindness or for any other cause, is unable to write, may sign in the manner prescribed by section sixteen of the Marriage Notice (Scotland) Act, 1878, and the provisions of that section shall apply accordingly.

Citation. 2 & 3 Geo. 6. c. 33.

5. This Act may be cited as the Marriage (Scotland) Act, 1942, and the Marriage (Scotland) Acts, 1834 to 1929, the Marriage Act, 1939 (so far as relating to Scotland) the Marriage (Scotland) Act, 1939, and this Act may be cited together as the Marriage (Scotland) Acts, 1834 to 1942.

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