STATUTORY INSTRUMENTS

1984 No. 460

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES, ETC.

ENGLAND AND WALES

The Registration of Births, Deaths and Marriages (Amendment) Regulations 1984

Made - - - -	*28th March* 1984
Coming into Operation	*1st May* 1984

The Registrar General in exercise of the powers conferred upon him by sections 27, 27A, 31, 55 and 74 of the Marriage Act 1949(**a**), section 20 of the Registration Service Act 1953(**b**) and of all other powers enabling him in that behalf, with the approval of the Secretary of State for Social Services(**c**), hereby makes the following regulations:—

Citation, commencement and interpretation

1.—(1) These regulations may be cited as the Registration of Births, Deaths and Marriages (Amendment) Regulations 1984 and shall come into operation on 1st May 1984.

(2) In these regulations "the principal regulations" means the Registration of Births, Deaths and Marriages Regulations 1968(**d**).

(3) These regulations shall be included among those which may be cited together as the Registration of Births, Deaths and Marriages Regulations 1968 to 1984.

Amendment of regulation 63 of the principal regulations

2. Regulation 63 of the principal regulations (form of notice of marriage) shall be amended as follows—

(a) there shall be inserted at the beginning of paragraph (1) the words "Subject to paragraph (1A),",

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(**a**) 1949 c.76; section 27A was inserted by the Marriage Act 1983 (c.32), Schedule 1, paragraph 6; section 55 was amended by the 1983 Act, Schedule 1, paragraph 17 (*see* the Marriage Act 1983 (Commencement) Order 1984 (S.I. 1984/413)) and section 74 was amended by the Registration Service Act 1953 (c.37), Schedule 2.

(**b**) 1953 c.37.

(**c**) *See* the Secretary of State for Social Services Order 1968 (S.I. 1968/1699).

(**d**) S.I. 1968/2049, as amended by S.I. 1969/1811, 1970/1780, 1971/1218, 1974/571, 1976/2081, 1977/1912, 1982/265, 955.

(b) there shall be inserted after paragraph (1) the following new paragraph—

"(1A) The form of notice of marriage to be given under section 27(1) of the Marriage Act 1949 (notice of marriage) where a marriage is intended to be solemnized at a person's residence in pursuance of section 26(1)*(dd)* of the 1949 Act(**a**) (marriages which may be solemnized on the authority of a superintendent registrar's certificate) shall be form 33 or, where either party to the marriage is under the age of 18 years, and not a widower or widow, form 34.".

Insertion of new regulations 64A and 64B into the principal regulations

3. Immediately after regulation 64 of the principal regulations there shall be inserted the following new regulations—

"*Statement to accompany notice of marriage of a relevant person who is not a detained person*

64A. Where the relevant person is not a detained person the medical statement to be made by a registered medical practitioner which is to accompany the notice of marriage pursuant to section 27A(2) of the 1949 Act (additional information required in certain cases)(**b**) shall be in form 35.

Statement to accompany notice of marriage of detained person

64B. Where the relevant person is a detained person the statement to be made by the responsible authority which is to accompany the notice of marriage pursuant to section 27A(3) of the Marriage Act 1949 shall be in form 36.".

Amendment of regulations 65, 67 and 69 of the principal regulations

4.—(1) In regulation 65(1) of the principal regulations (form of certificate for marriage) there shall be inserted after "form 20" the words "or, where notice of marriage was given in form 33 or 34, the form of certificate for marriage shall be form 37.".

(2) In regulation 67(2) of the principal regulations (particulars to be registered) after the words "where it was solemnized" on the second occasion on which they are used there shall be inserted the words "or in the case of a marriage solemnized at a person's residence in pursuance of section 26(1)*(dd)* of the Marriage Act 1949, in some part of that residence" and after the word "and" there shall be inserted the words "in each case".

(3) In regulation 69 of the principal regulations (entry of attestation) there shall be inserted after paragraph *(c)* a new paragraph as follows—

"*(d)* if the marriage has been solemnized at a person's residence in pursuance of section 26(1)*(dd)* of the Marriage Act 1949, enter in the places respectively provided for the purpose the address of the place in which the marriage has been solemnized, the title of the body or denomination, if any, according to the rites and ceremonies of which the marriage has been solemnized, and the word "certificate".".

(**a**) 1949 c.76; section 26(1)*(dd)* was inserted by the Marriage Act 1983, Schedule 1 paragraph 4.
(**b**) 1949 c.76; section 27A was inserted by the Marriage Act 1983, Schedule 1, paragraph 6.

Amendment of schedule 1 to the principal regulations

5. In schedule 1 to the principal regulations (prescribed forms)—

(a) in the list of contents, after the particulars relating to form 32 there shall be inserted in the respective columns the particulars relating to the following forms—

Form	Relevant Regulation	Description	Statutory Purpose
33	63(1A)	Notice of marriage without licence	Marriage Act 1949 Sections 27(1) and 27A(4)
34	63(1A)	Notice of marriage without licence	Marriage Act 1949 Sections 27(1) and 27A(4)
35	64A	Medical statement	Marriage Act 1949 Section 27A(2)
36	64B	Statement by responsible authority	Marriage Act 1949 Section 27A(3)
37	65(1)	Certificate for marriage	Marriage Act 1949 Section 31

(b) in Part II of form 23 (particulars of attestation) for the sub-heading "(ii) For marriage in a superintendent registrar's office" there shall be substituted "(ii) For marriage in the presence of a registrar and a superintendent registrar" and for the sub-heading "(iii) For marriage in a registered building in the presence of a registrar" there shall be substituted "(iii) For marriage in the presence of a registrar and without the presence of a superintendent registrar",

(c) after form 32 there shall be inserted the following forms—

"

FORM 33

Notice of Marriage Without Licence

Regulation 63(1A) — Marriage Act 1949, Ss. 27(1) and 27A(4)

PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Name and surname (1)	Age (2)	Marital status (3)	Occupation (4)	Place of residence (5)	Period of residence (6)	Address of place at which the marriage is to be solemnized (7)	District and county of residence (8)

To the Superintendent Registrar of the district of.....in the county.....

1. I, the above-named....., give you notice that I and the other person named above intend to be married by certificate without licence within three months from the date of entry of this notice.

2. I solemnly declare that I believe there is no impediment of kindred or alliance or other lawful hindrance to the marriage, and that I and the other person named above have for the period of seven days immediately preceding the giving of this notice had our usual places of residence within the districts named in column 8 above.

3. And I further declare that I am not under the age of eighteen years or, if under that age, am a widower or widow, and that the other person named above is not under the age of eighteen years, or, if under that age, is a widower or widow.

4. I declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911.

5. I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be invalid or void and the contracting of the marriage may render one or both of the parties GUILTY OF A CRIME AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER CRIME AS MAY HAVE BEEN COMMITTED.

(Signed)..... (Date).....
In the presence of.....(Signature of registration officer)
Official designation .....
Registration district of.....
Place of residence .....

FORM 33—*continued*

[Notice of Marriage Without Licence]

Regulation 63(1A) Marriage Act 1949, Ss. 27(1) and 27A(4)

I, the undersigned, give you notice that the proposed marriage referred to in this notice

(a)* is intended to be solemnized according to the rites and cermonies

of .....
(Religious denomination)

by .....
(Name and address of celebrant)

.....

.....

(b)* is intended to be solemnized before the Superintendent Registrar

of ..... registration district.
(Name of district)

(Signed) ..... Date .....

* Delete whichever does not apply

FORM 34

Notice of Marriage Without Licence

Regulation 63(1A) — Marriage Act 1949, Ss. 27(1) and 27A(4)

PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Name and surname (1)	Age (2)	Marital status (3)	Occupation (4)	Place of residence (5)	Period of residence (6)	Address of place at which the marriage is to be solemnized (7)	District and county of residence (8)
	years						
	years						

To the Superintendent Registrar of the district of ..... in the county .....

1. I, the above-named....., give you notice that I and the other person named above intend to be married by certificate without licence within three months from the date of entry of this notice.

2. I solemnly declare that I believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that I and the other person named above have for the period of seven days immediately preceding the giving of this notice had our usual places of residence within the districts named in column 8 above.

3. And I further declare that in respect of myself—

*(i) the consent of†.....whose consent only is required by law has been obtained;

(ii) the necessity of obtaining the consent of† ....has been dispensed with as provided by law;

(iii) there is no person whose consent to my marriage is required by law;

(iv) I am over the age of eighteen years or if under that age am a widow/widower;

and in respect of the said‡.....

*(i) the consent of†.....whose consent only is required by law has been obtained;

(ii) the necessity of obtaining the consent of† ....has been dispensed with as provided by law;

(iii) there is no person whose consent to his/her marriage is required by law;

(iv) he/she is over the age of eighteen years or if under that age is a widow/widower;

FORM 34—*continued*

Regulation 63(1A) Marriage Act 1949, Ss. 27(1) and 27A(4)

4. I declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911.

5. I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be invalid or void and the contracting of the marriage may render one or both of the parties GUILTY OF A CRIME AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER CRIME AS MAY HAVE BEEN COMMITTED.

*Delete the alternatives which do not apply; if none applies (e.g. the ..... Court has consented to the marriage) insert the appropriate declaration as to to consent in the space provided.
†Insert the name(s) of the person(s) whose consent is/are required.
‡Insert the name of the other party.

(Signed)..... (Date).....
In the presence of ..... (Signature of registration officer)
Official designation .....
Registration district of .....
Place of residence .....

I, the undersigned, give you notice that the proposed marriage referred to in this notice

(a)$^{\phi}$ is intended to be solemnized according to the rites and ceremonies

of .....
(Religious denomination)

by .....
(Name and address of celebrant)

.....

.....

(b)$^{\phi}$ is intended to be solemnized before the Superintendent Registrar

of ..... registration district.
(Name of district)

(Signed) ..... Date .....

ϕ Delete whichever does not apply

FORM 35

Statement by Registered Medical Practitioner

Regulation 64A Marriage Act 1949, S.27A(2)

Proposed marriage of

..... and .....
(Full names of man) (Full names of woman)

I..... being a registered medical practitioner, state that in my opinion.....
(Name of patient)
who is at present residing at.....
ought not, by reason of illness or disability, to move or be moved from the place stated, and it is likely that this will be the case for at least the next three months.

Date..... (Signed).....

Address .....

.....

FORM 36

Statement by Responsible Authority

Regulation 64B Marriage Act 1949, S.27A(3)

Proposed marriage of

..... and .....
(Full names of man) (Full names of woman)

I ..... being the responsible
(Full names)
authority for the place of detention known as.....
(Address)
at which..... is being detained state that
(Person detained)
I have no objection to that establishment being specified in the notice of marriage as the place where the marriage of the above-named persons is to be solemnized.

Date..... (Signed).....

Designation .....

FORM 37

Certificate for Marriage

Regulation 65(1) Marriage Act 1949, S.31

I,....., Superintendent Registrar of the district of..... in the county..... of..... hereby certify that on the..... day of..... 19..... notice was duly entered in the Marriage Notice Book of the said district of the marriage intended to be solemnized between the parties hereinafter named and described.

Name (1)	Age (2)	Marital status (3)	Occupation (4)	Place of residence (5)	Period of residence (6)	Address of place at which the marriage is to be solemnized (7)	District and county of residence (8)
	years						
	years						

I further certify that the issue of this certificate has not been forbidden by any person authorised to forbid the issue thereof.

Date..... Signature.....
Superintendent Registrar

NOTE:
This certificate will be void if the marriage is not solemnized within three months from the date of entry of notice given above.

"

Given under my hand on 22nd March 1984.

A. R. Thatcher,
Registrar General.

I approve.

Norman Fowler,
Secretary of State for Social Services.

28th March 1984.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations amend the Registration of Births, Deaths and Marriages Regulations 1968 ("the principal regulations") consequent on the coming into operation of the Marriage Act 1983 which makes provision for marriages of house-bound and detained persons to be solemnized at the place where they reside.

In amending the principal regulations the Regulations prescribe two forms of notice of such a marriage; insert two regulations which make provision for supporting statements in two prescribed forms to accompany the notice of such a marriage; prescribe a form of certificate which a superintendent registrar issues for such a marriage and which takes account of the new forms of notice of marriage; provide for particulars of such a marriage to be registered in some part of the residence where the marriage is to take place and make provision for the registrar to complete an appropriate attestation to the prescribed form used to give the particulars of such a marriage.

SI 1984/460
ISBN 0-11-046460-5

