



Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

PART 1

MARRIAGE

CHAPTER 3

SOLEMNISATION OF MARRIAGE

14 Temporary authorisation of celebrants

- (1) The 1977 Act is amended as follows.
- (2) In section 12 (temporary authorisation of celebrants)—
- (a) in subsection (1), for “person” substitute “ member of a religious or belief body ”, and
 - (b) after subsection (1) insert—
 - “(1A) The Registrar General may grant an authorisation to a person under subsection (1) only if satisfied that the religious or belief body of which the person is a member meets the qualifying requirements.
 - (1B) An authorisation under subsection (1)(b) may be granted in relation to—
 - (a) only marriages between persons of different sexes;
 - (b) only marriages between persons of the same sex; or
 - (c) both.
 - (1C) The Registrar General may grant an authorisation to a person under subsection (1)(b) to solemnise marriages between persons of the same sex only if the religious or belief body of which the person is a member—
 - (a) is prescribed by virtue of section 8(1B)(a)(i); or

Changes to legislation: There are currently no known outstanding effects for the Marriage and Civil Partnership (Scotland) Act 2014, Section 14. (See end of Document for details)

- (b) has nominated members (whether or not including that person) under section 9(1A) to solemnise marriages between persons of the same sex.
- (1D) In subsection (1A), the “qualifying requirements” are such requirements as may be set out in regulations made by the Scottish Ministers.
- (1E) Regulations under subsection (1D)—
 - (a) may make different provision for different cases or circumstances;
 - (b) may include transitional and saving provision.
- (1F) Regulations under subsection (1D) are subject to the negative procedure.”.
- (3) In section 24 (offences), in subsection (2)(c), for the words from “12(a)” to the end substitute “12 of this Act—
 - (i) if authorised under subsection (1)(a) of that section, solemnises a marriage not specified in the authorisation;
 - (ii) if authorised under subsection (1)(b) of that section, solemnises a marriage outwith the period specified in the authorisation;
 - (iii) in either case, solemnises a marriage otherwise than in accordance with such terms and conditions as may be specified in the authorisation;”.

Commencement Information

- I1** S. 14(1)(2) in force at 1.9.2014 for specified purposes by S.S.I. 2014/212, art. 2, **Sch.**
- I2** S. 14(1)(2)(b) in force at 16.12.2014 for specified purposes by S.S.I. 2014/287, art. 3, **Sch.**
- I3** S. 14(2)(a)(3) in force at 16.12.2014 by S.S.I. 2014/287, art. 3, **Sch.**

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