
SCOTTISH STATUTORY INSTRUMENTS

2002 No. 260

The Marriage (Approval of Places) (Scotland) Regulations 2002

Revocation and suspension of approvals

15.—(1) An authority may revoke or suspend an approval in accordance with the provisions of this paragraph.

(2) An authority may revoke or suspend an approval if in its opinion—

- (a) the approval holder has failed to comply with one or more of the conditions attached to the approval under regulation 8;
- (b) the approved place is no longer suitable for the solemnisation of civil marriages, having regard to regulation 7(2); or
- (c) in the case of a period approval, the approval holder is not or is no longer a fit and proper person.

(3) Subject to paragraph (6), an authority in considering whether or not to revoke or suspend an approval may, but before doing so shall, give—

- (a) the approval holder; and
- (b) any person who has made representations relevant to the matters to be considered at the hearing,

an opportunity to be heard by the authority or, if that person prefers, to submit written representations.

(4) The authority shall have complied with its duty under paragraph (3) if it has caused to be sent to the persons referred to in that paragraph, not later than 21 days before the hearing, notice in writing that the authority propose to hold a hearing, together with a copy of any representations referred to in paragraph (3)(b) and a note of the grounds upon which the revocation or suspension of the approval is to be considered.

(5) A revocation or suspension of an approval shall, subject to paragraph (6), come into force—

- (a) upon expiry of the period for lodging an appeal under section 18A of the Act; or
- (b) where such an appeal has been lodged, when the appeal has been abandoned or determined in favour of the revocation or suspension.

(6) If an authority, at any time after granting an approval, determines that the circumstances justify immediate suspension it may, without prejudice to its other powers and duties under this regulation, suspend the approval immediately.

(7) The period of suspension of an approval under this regulation shall be the unexpired portion of the duration of that approval, or such shorter period as the authority may fix; and the effect of suspension shall be that the approval shall cease to have effect during the period of the suspension.

(8) An authority may, whether upon an application made to them or not, recall a suspension of an approval made under this regulation.

(9) An authority shall, within 7 days of its decision under paragraph (1) above, send written notice of its decision, together with details of the right of appeal by the approval holder under section 18A of the Act, to the approval holder and to any person who, in pursuance of paragraph (3)(b) was heard by, or submitted written representations to, the authority before it reached its decision.

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(10) Upon receipt of a notice of revocation or suspension under paragraph (9) the approval holder shall forthwith give notice of the revocation or suspension to all parties who have made arrangements to marry, but whose marriages have not yet been solemnised, in the place in respect of which the notice of revocation or suspension has been received.