

2005 No. 596

MARRIAGE

**The Marriage (Prescription of Forms) (Scotland) Amendment
Regulations 2005**

Made - - - - - *23rd November 2005*

Coming into force - - - - - *5th December 2005*

The Registrar General, in exercise of the powers conferred on him by sections 3(1), 4(1), 6(1) and 7(2) of the Marriage (Scotland) Act 1977(a) and of all other powers enabling him in that behalf and with the approval of the Scottish Ministers under section 25 of that Act(b), hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Marriage (Prescription of Forms) (Scotland) Amendment Regulations 2005 and shall come into force on 5th December 2005.

(2) In these Regulations, “the principal Regulations” means the Marriage (Prescription of Forms) (Scotland) Regulations 1997(c).

Amendment of the principal Regulations

2. In regulation 5(c) of the principal Regulations, after “marital” insert “or civil partnership”.
3. For the form set out in Schedule 1 to the principal Regulations substitute the form set out in Schedule 1 to these Regulations.
4. For the form set out in Schedule 2 to the principal Regulations substitute the form set out in Schedule 2 to these Regulations.
5. For the form set out in Schedule 3 to the principal Regulations substitute the form set out in Schedule 3 to these Regulations.

(a) 1977 c.15; section 3(1) was amended by paragraph 3, and section 6(1) by paragraph 5 of Schedule 2 to the Marriage (Prohibited Degrees of Relationship) Act 1986 (c.16); section 26 contains a definition of “prescribed” relevant to the exercise of statutory powers under which these Regulations are made.

(b) The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(c) S.I. 1997/2349.

6. For the form set out in Schedule 4 to the principal Regulations substitute the form set out in Schedule 4 to these Regulations.

D MACNIVEN
Registrar General for Scotland

New Register House,
Edinburgh
22nd November 2005

Approved by the Scottish Ministers

GEORGE LYON
Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
23rd November 2005

SCHEDULE 1

MARRIAGE NOTICE - SCOTLAND

(Section 3(1) of the Marriage (Scotland) Act 1977)



Use a pen to fill in the form, all in **BLOCK CAPITALS** except for your signature at the end

A About the proposed marriage

1. Date of marriage	Year	Month	Day
2. Place			

This space for registrars' use only	
Entry number in Marriage Notice Book	
Date documents returned	

B About yourself

3. Forename(s)			
Surname(s)			
4. Present or last occupation			
5. Retired (<i>tick box</i>)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	6. Sex (<i>tick box</i>) <input type="checkbox"/> Male <input type="checkbox"/> Female <input type="checkbox"/>
7. Marital or Civil Partnership Status (<i>tick box</i>)			
		Single <input type="checkbox"/>	Divorced <input type="checkbox"/>
		Previous marriage annulled <input type="checkbox"/>	Widowed <input type="checkbox"/>
Previous Civil Partnership dissolved <input type="checkbox"/>		Previous Civil Partnership annulled <input type="checkbox"/>	Surviving Civil Partner <input type="checkbox"/>
8. Date of Birth	Year	Month	Day
9. Country of birth	10. Country of residence	11. Nationality	
12. Usual residence			
Postcode <input type="text"/>			

C About your father

13. (a) Forename(s)			
(b) Surname(s) at time of your birth			
(c) Surname(s) now (or at date of his death) if different from (b)			
14. Present or last occupation			
15. Retired (<i>tick box</i>)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	16. Is he still living? (<i>tick box</i>)
			Yes <input type="checkbox"/> No <input type="checkbox"/>

D About your mother

17. (a) Forename(s)	
(b) Surname(s) at time of your birth	
(c) Surname(s) now (or at date of her death) if different from (b)	
18. Maiden surname	
19. Present or last occupation	
20. Retired (<i>tick box</i>)	Yes <input type="checkbox"/> No <input type="checkbox"/>
21. Is she still living? (<i>tick box</i>)	Yes <input type="checkbox"/> No <input type="checkbox"/>

E About the celebrant (*complete this part if you intend to have ceremony solemnised by someone other than a registrar*)

22. Person who is to solemnise the marriage?
23. Denomination or body to which (s)he is attached?

F About the other party to the marriage

24. Forename(s) in full
Surname(s)
25. Usual residence
Postcode <input type="text"/>

G Documents to be submitted by you with this Notice

26. FOR ALL PERSONS	<i>If you are unable to produce your birth certificate, state the reason here.</i>
Is your birth certificate enclosed? (<i>tick box</i>)	
YES <input type="checkbox"/> NO <input type="checkbox"/>	

27. IF YOU ARE DIVORCED, YOUR PREVIOUS MARRIAGE WAS ANNULLED OR YOUR PREVIOUS CIVIL PARTNERSHIP HAS BEEN DISSOLVED OR ANNULLED	<i>If you are unable to produce the official decree of divorce or annulment or decree of dissolution or annulment of Civil Partnership, state the reason for not doing so. The registrar will require proof of the termination of the earlier marriage or Civil Partnership.</i>
Is your decree of divorce, annulment or dissolution enclosed? (<i>tick box</i>)	
YES <input type="checkbox"/> NO <input type="checkbox"/>	

28. IF YOUR FORMER SPOUSE OR CIVIL PARTNER IS DECEASED	<i>If you are unable to produce a death certificate of your previous spouse or Civil Partner, state the reason for not doing so. The registrar will require proof of the death.</i>
Is the death certificate of your former spouse or Civil Partner enclosed? (<i>tick box</i>)	
YES <input type="checkbox"/> NO <input type="checkbox"/>	

<p>29. IF YOU ARE A PERSON WHO IS SUBJECT TO THE MARRIAGE LAWS OF A COUNTRY OUTSIDE THE UNITED KINGDOM</p> <p>Have you enclosed a certificate of no impediment to marriage issued by a competent authority in that country? <i>(tick box)</i></p> <p>YES <input type="checkbox"/> NO <input type="checkbox"/></p>	<p><i>Most European countries issue certificates of no impediment but other countries may not do so. If for any reason you are unable to enclose such a certificate, state the reason. If you have resided in the United Kingdom for at least two years immediately before submitting the notice, you need not submit a certificate of no impediment, but should state how long you have been resident in the United Kingdom</i></p>
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30. DECLARATION

I solemnly declare

- (1) that I am the person named at B3;
- (2) that I and the person named at Part F intend to be married on the date and at the place entered in Part A;
- (3) that there is no impediment caused by a relationship of consanguinity, affinity or adoption and that I know of no other legal impediment to our marriage;
- (4) that all the particulars and other information given by me on this notice are correct to the best of my knowledge and belief; and
- (5) that each document submitted by me in accordance with Part G of this notice is genuine.

Signed Date

Note: Any person who supplies false information to a registrar or uses, gives or sends any certificate, document or declaration required for the purposes of this Marriage Notice which is false or has been forged in any way is liable to prosecution.

SCHEDULE 2



**DECLARATION WHERE A MARRIAGE IS
PROPOSED BETWEEN PARTIES RELATED IN A
DEGREE SPECIFIED BELOW***

(Section 3(1)(d) of the Marriage (Scotland) Act 1977)

	Bridegroom	Bride
Forename(s)		
Surname(s)		
Date of birth		
Usual residence		

DECLARATION

I solemnly declare

(1) that I
(Enter full forename(s) and surname(s))

and the other person named above are related in the following degree:

..... and
(Insert whichever degree below applies)*

(2) that the younger party has not at any time before attaining the age of 18 lived in the same household as the older party and been treated by the other party as a child of his or her family.

Signed Date

*Degrees of relationship by affinity

- | | |
|--|---|
| Daughter of former wife | Son of former husband |
| Daughter of former civil partner | Son of former civil partner |
| Former wife of father | Former husband of mother |
| Former civil partner of mother | Former civil partner of father |
| Former wife of father's father | Former husband of father's mother |
| Former civil partner of mother's mother | Former civil partner of mother's father |
| Former wife of mother's father | Former husband of mother's mother |
| Former civil partner of father's mother | Former civil partner of father's father |
| Daughter of son of former wife | Son of son of former husband |
| Daughter of son of former civil partner | Son of son of former civil partner |
| Daughter of daughter of former wife | Son of daughter of former husband |
| Daughter of daughter of former civil partner | Son of daughter of former civil partner |

WARNING: A person who gives false information may be found guilty of a criminal offence.

SCHEDULE 3



MARRIAGE SCHEDULE

(Section 6(1) of the Marriage (Scotland) Act 1977)

This is not a Marriage Certificate. In the case of a marriage solemnised by someone other than a registrar it must be returned to the issuing registrar within three days of the marriage to enable the registrar to register the marriage

1. When married						
2. Where married						
3. Forename(s) Surname(s)	Bridegroom			Bride		
	<i>(Signature)</i>			<i>(Signature)</i>		
4. Occupation						
5. Marital or Civil Partnership Status						
6. Date of birth	Year	Month	Day	Year	Month	Day
7. Country of birth						
8. Usual residence						
9. Father's forename(s) surname(s) and occupation						
10. Mother's forename(s) maiden surname surname(s) and occupation						
11. Person solemnising the marriage	<i>(Signature)</i>					
	<i>Full name in block capitals</i>					
	Designation					
12. Witnesses with addresses	<i>(Signature)</i>					
	<i>Full name in block capitals</i>					
	Address					

MARRIAGE NOTICE NO.

DISTRICT NO.

YEAR

ENTRY NO.

<i>(Signature)</i>				
..... <i>Full name in block capitals</i>				
Address				
13. When registered	Year	Month	Day	14. <i>Registrar</i>
15.				





CERTIFICATE OF NO IMPEDIMENT

(Section 7 of the Marriage (Scotland) Act 1977)

Name

Address

..... Postcode

The above applicant has supplied to me the following information concerning his or her intended Marriage.

	Bridegroom	Bride
1. Forename(s)		
2. Surname(s)		
3. Date of birth		
4. Nationality		
5. Country of birth		
6. Country of residence		
7. Place of usual residence		
8. Marital or Civil Partnership status		
9. Date of proposed Marriage		
10. Place of proposed Marriage		

I hereby certify that

- the applicant has met the legal requirements of the law of Scotland as set out in the Marriage (Scotland) Act 1977;
- the applicant is not known to me to be subject to any legal incapacity under the law of Scotland which would prevent the applicant from marrying;
- it appears to me that there is **NO IMPEDIMENT** to the proposed marriage as far as the applicant is concerned.

Signature

Registrar for the District of in Scotland

THIS CERTIFICATE IS VALID FOR THREE MONTHS FROM

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Marriage (Prescription of Forms) (Scotland) Regulations 1997.

Revised forms relating to the marriage notice (form M10 – regulation 3), the declaration to be made by parties to a marriage who are related by affinity (form DSR – regulation 4), the marriage schedule (regulation 5) and the certificate of no impediment (form M1 – regulation 6) are substituted to reflect changes brought about by the Civil Partnership Act 2004 (c. 33).

In addition, the prescribed particulars to be entered in the marriage notice book for the purposes of section 4(1) of the Marriage (Scotland) Act 1977 (c.15) are amended to include a reference to civil partnership status.

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£3.00

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