
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 573

**The Marriage (Approval of Places)
(Scotland) Amendment Regulations 2006**

Amendment of the Marriage (Approval of Places) (Scotland) Regulations 2002

2.—(1) The Marriage (Approval of Places) (Scotland) Regulations 2002⁽¹⁾ are amended as follows.

(2) In regulation 1(2) (interpretation)—

(a) after the definition of “approved place”, insert—

““approved vessel”⁽²⁾ means a vessel in Scottish waters which has been approved by an authority under these Regulations and for which said approval is still current;”;

(b) at the end of the definition of “authority”, add “and in relation to a vessel in Scottish waters, means the home local authority within the meaning of section 18(8) of the Act⁽³⁾”;

(c) in the definition of “place”—

(i) for “within the registration district”, insert “within the seaward boundary⁽⁴⁾ of the registration district”; and

(ii) omit “or vehicles”.

(3) In regulations 2(2) (applicants), 5(2)(a) (notification of applications) and 10 (restriction on successive applications), after “place”, insert “or vessel in Scottish waters”.

(4) In regulation 3 (period approvals)—

(a) for paragraph (1)(b) substitute—

“(b) a description of—

(i) the place (or for a vessel in Scottish waters, any intended position or area of operation) where it is intended that civil marriages will be solemnised sufficient to identify that place (or position or area of operation) and to allow the authority to inspect it;

(ii) in the case of a vessel, the vessel and the location at which it may be inspected; and

(iii) in the case of a vessel in Scottish waters, the intended points where the authorised registrar would embark and disembark.”; and

(b) in paragraph (4), after “place” insert “(or vessel or its intended position or area of operation)”.

(5) In regulation 4 (temporary approvals)—

(a) for paragraph (1)(c), substitute—

(1) [S.S.I. 2002/260](#), amended by [S.S.I. 2005/657](#).

(2) See section 18(7) of the 1977 Act, inserted by the 2006 Act, section 48(6)(b).

(3) Section 18(8) of the 1977 Act was inserted by section 48(6)(b) of the 2006 Act. “Scottish waters” is defined in section 26(2) of the 1977 Act, as amended by the 2006 Act, section 48(9)(b)(ii).

(4) Defined by section 26(2A) of the 1977 Act, as inserted by section 48(9)(c) of the 2006 Act.

- “(c) a description of–
 - (i) the place (or for a vessel in Scottish waters, its intended position) where it is intended that the civil marriage will be solemnised sufficient to identify that place (or position) and to allow the authority to inspect it;
 - (ii) in the case of a vessel, the vessel and the location at which it may be inspected; and
 - (iii) in the case of a vessel in Scottish waters, the intended points where the authorised registrar would embark and disembark.”; and
- (b) in paragraph (4), after “place” insert “(or vessel or its intended position)”.
- (6) In regulation 7 (determination of applications)–
 - (a) in paragraph (2)(a), after “place”, insert “or vessel in Scottish waters”;
 - (b) in paragraph (2) (c)–
 - (i) after “place” the first time it occurs, insert “or vessel in Scottish waters”; and
 - (ii) after “at the place”, insert “in or on the vessel”.
- (7) In regulation 8(b) (conditions attached to approvals), after “at the place”, insert “or in or on the vessel in Scottish waters”.
- (8) At the end of regulation 9(3) (notification of decisions), add “or, in the case of an approved vessel, to the proposed authorised registrar of the authority”.
- (9) In regulation 14 (fees for attendance of registrars), after “at approved places”, insert “or in or on approved vessels”.
- (10) In regulation 15 (revocation and suspension of approvals)–
 - (a) in paragraph (2)(b), after “approved place”, insert “or approved vessel”; and
 - (b) in paragraph (10), after “in the place”, insert “or in or on the vessel in Scottish waters”.
- (11) In regulation 17(1) (deemed approval holder), after “the approved place”, insert “or the approved vessel”.
- (12) In regulation 18 (registers of approved places)–
 - (a) in paragraph (1)–
 - (i) after “granted”, insert “and every approved vessel for which it grants a period approval”; and
 - (ii) at the end of sub-paragraph (a), add “or approved vessel”; and
 - (b) in paragraph (3)–
 - (i) the words from “to the district registrar” to the end become sub-paragraph (a); and
 - (ii) at the end, insert–
 - “; or
 - (b) to the proposed authorised registrar of the authority, in the case of an approved vessel”.
- (13) After regulation 18, insert–

“Approved vessels

18A.—(1) Notwithstanding the description of the position or area delivered under regulation 3(1)(b) or 4(1)(c), a marriage on an approved vessel may be solemnised elsewhere in Scottish waters.

(2) The approval of a vessel in Scottish waters is to have effect as an approval of a place if–

- (a) the approved vessel is at the time of the marriage positioned so the vessel falls within the seaward boundary of a registration district⁽⁵⁾; and
 - (b) the authority which granted the approval is the authority for that district.”.
- (14) In the Schedule (standard conditions to be attached to period approvals)–
- (a) in paragraphs 2, 3(a) and (b), 5, 6 (both times it occurs), 8(1) (both times it occurs) and 8(2), after “approved place”, insert “or approved vessel”
 - (b) at the end of paragraph 7, add “or, in the case of a marriage in or on a vessel in Scottish waters, of the proposed authorised registrar”; and
 - (c) in paragraph 8(1), after “that place”, insert “or vessel”.

(5) Defined by section 26(2A) of the 1977 Act, as inserted by section 48(9)(c) of the 2006 Act.