
DRAFT STATUTORY INSTRUMENTS

2003 No.

The Marriage (Northern Ireland) Order 2003

Civil marriages

Places at which civil marriages may be solemnised

18.—(1) Subject to paragraphs (5) and (7) a civil marriage shall be solemnised only—

- (a) in a registration office; or
- (b) in a place approved under paragraph (2).

(2) A local registration authority may, in accordance with regulations under paragraph (3), approve places where civil marriages may be solemnised in its district.

(3) The Department may by regulations make provision for or in connection with the approval of places under paragraph (2).

(4) Regulations under paragraph (3) may in particular include provision as to—

- (a) the kinds of place in respect of which approvals may be granted;
- (b) the procedure to be followed in relation to applications for approval;
- (c) the considerations to be taken into account in determining whether to approve any places;
- (d) the duration and renewal of approvals (whether for one occasion or for a period);
- (e) the conditions that shall or may be imposed on granting or renewing an approval;
- (f) the determination and charging of fees in respect of—
 - (i) applications for the approval of places;
 - (ii) the renewal of approvals; and
 - (iii) the attendance by registrars at places approved under the regulations;
- (g) the circumstances in which a local registration authority shall or may revoke or suspend an approval or vary any of the conditions imposed in relation to an approval;
- (h) the review of decisions made by virtue of the regulations;
- (i) appeals to a county court from decisions made by virtue of the regulations;
- (j) the notification to the Registrar General of all approvals granted, renewed, revoked, suspended or varied;
- (k) the notification to the registrar for the district in which a place approved under the regulations is situated of all approvals relating to such a place which are granted, renewed, revoked, suspended or varied;
- (l) the keeping by the Registrar General, registrars and local registration authorities of registers of places approved under the regulations; and
- (m) the issue by the Registrar General of guidance supplementing the provision made by the regulations.

(5) If either of the parties to an intended civil marriage gives the registrar a medical statement, the marriage may, with the approval of the Registrar General, be solemnised at any place where that party is.

(6) In paragraph (5) “medical statement”, in relation to any person, means a statement made in the prescribed form by a medical practitioner that in his opinion at the time the statement is made—

- (a) by reason of serious illness or serious bodily injury, that person ought not to move or be moved from the place where he is at that time, and
- (b) it is likely that it will be the case for at least the following three months that by reason of the illness or disability that person ought not to move or be moved from that place.

(7) If the Registrar General so directs, a registrar shall solemnise a civil marriage in a place specified in the direction.

Solemnisation of civil marriage

19.—(1) A person shall not solemnise a civil marriage unless—

- (a) he has available to him at the time of the ceremony the marriage schedule and the prescribed fee for the marriage has been paid;
- (b) both parties to the marriage are present; and
- (c) two persons professing to be 16 or over are present as witnesses.

(2) A person shall not solemnise a civil marriage except in accordance with a form of ceremony which—

- (a) is of a secular nature; and
- (b) includes an appropriate declaration.

(3) In paragraph (2)(b) an “appropriate declaration” means a declaration by the parties, in the presence of—

- (a) each other;
- (b) the person solemnising the marriage; and
- (c) two witnesses,

that they accept each other as husband and wife.

Registration of civil marriage

20.—(1) The following persons shall sign the marriage schedule immediately after the solemnisation of a civil marriage—

- (a) both parties to the marriage;
- (b) both witnesses to the marriage; and
- (c) the person who solemnised it.

(2) The person who solemnised the marriage shall cause it to be registered as soon as practicable after the marriage schedule is signed.

Second marriage ceremony

21.—(1) This paragraph applies where two persons—

- (a) have gone through a marriage ceremony with each other outside the United Kingdom; but
- (b) are not, or are unable to prove that they are, validly married to each other for the purposes of the law of Northern Ireland.

(2) Where paragraph (1) applies, any registrar may, on an application made to him by those persons, solemnise their marriage as if they had not already gone through a marriage ceremony with each other.

(3) A registrar shall not solemnise a marriage under paragraph (2) without the approval of the Registrar General.

(4) Articles 3 to 7 and 18 to 20 shall apply for the purpose of solemnising a marriage under this Article with such modifications as may be prescribed.