



# Marriage (Scotland) Act 1977

## 1977 CHAPTER 15

### *Forbidden degrees*

#### **2 Marriage of related persons**

- (1) A marriage between a man and any woman related to him in a degree specified in column 1 of Schedule 1 to this Act, or between a woman and any man related to her in a degree specified in column 2 of that Schedule shall be void if solemnised—
  - (a) in Scotland ; or
  - (b) at a time when either party is domiciled in Scotland.
- (2) For the purposes of this section a degree of relationship exists—
  - (a) in the case of a degree specified in paragraph 1 of Schedule 1 to this Act, whether it is of the full blood or the half blood; and
  - (b) in the case of a degree specified in paragraph 1 or 2 of the said Schedule, even where traced through or to any person of illegitimate birth.
- (3) Where a person is related to another person in a degree not specified in Schedule 1 to this Act that degree of relationship shall not, in Scots law, bar a valid marriage between them; but this subsection is without prejudice to—
  - (a) the effect which a degree of relationship not so specified may have under the provisions of a system of law other than Scots law in a case where such provisions apply as the law of the place of celebration of a marriage or as the law of a person's domicile; or
  - (b) any rule of law that a marriage may not be contracted between persons either of whom is married to a third person.