



Marriage (Scotland) Act 1977

1977 CHAPTER 15

CIVIL MARRIAGES

19 Marriage ceremony and registration of marriage.

- (1) An authorised registrar shall not solemnise a marriage within [^{F1}28 days] of the date of receipt (as entered in the marriage notice book) of a marriage notice in respect of that marriage, unless—
- (a) he has received a written request from one or both of the parties to solemnise the marriage on a specified earlier date stating the reason for the request, and
 - (b) he has been authorised to solemnise the marriage on that earlier date by the Registrar General.

[^{F2}(1ZA) Unless subsection (1ZB) applies, if a proposed marriage is referred to the Secretary of State under section 3F (“the referred marriage”) the Registrar General may not authorise an authorised registrar to solemnise the referred marriage on the date mentioned in subsection (1)(b) without the consent of the Secretary of State.

(1ZB) This subsection applies if the request made under subsection (1)(a) is made because a party to the referred marriage is gravely ill and not expected to recover.]

[^{F3}(1A) For the purpose of subsection (1) above, a request which is made by electronic means is to be treated as written if it is received in a form which is legible and capable of being used for subsequent reference.]

- (2) A marriage shall not be solemnised by an authorised registrar unless—
- (a) he has available to him at the time of the ceremony a Marriage Schedule, in respect of the marriage, completed in accordance with this Act 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 years of age or over are present as witnesses.
- (3) Immediately after the solemnisation of the marriage the Marriage Schedule shall be signed by the parties contracting the marriage, by both witnesses present thereat and by the authorised registrar who solemnised it.

Changes to legislation: Marriage (Scotland) Act 1977, Section 19 is up to date with all changes known to be in force on or before 05 October 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(4) As soon as possible after the Marriage Schedule has been signed in accordance with subsection (3) above—

[^{F4}(a) in a case where the marriage has been solemnised by the authorised registrar—

(i) in his registration office;

(ii) [^{F5}at an appropriate place (within the meaning given by section 18) in the registration district of the authorised registrar; or]

^{F6}(iii)

(iv) [^{F7}at an appropriate place (within the meaning given by section 18)] in Scottish waters,

that authorised registrar;”]

[^{F4}(b) in a case where the marriage has been solemnised by the authorised registrar—

(i) in the registration office of another authorised registrar; or

(ii) at an [^{F8}appropriate place (within the meaning given by section 18)] in the district of another authorised registrar,

that other authorised registrar.]

shall cause the particulars as set forth in that Schedule to be entered in the register of marriages kept by him.

^{F9}(5)

Annotations:

Subordinate Legislation Made

P1 S. 19: for previous exercises of this power see Index to Government Orders.

P2 S. 19(2): s. 25 (with ss. 3(1), 19(2) and 26) power exercised (12.12.1991) by [S.I.1991/2816](#)

Amendments (Textual)

F1 Words in
s. 19(1)
substituted (1.3.2015) by
[Marriage and Civil Partnership \(Scotland\) Act 2014 \(asp 5\)](#)

,
ss. 18(4)

,
36

;
[S.S.I. 2015/14](#)

,
art. 2

,
sch.

(with
art. 3(1)

)

F2 [S. 19\(1ZA\)](#)

[\(1ZB\)](#)

inserted (1.3.2015) by

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The Referral and Investigation of Proposed Marriages and Civil Partnerships (Scotland) Order 2015 (S.I. 2015/396)

,
art. 1(2)

,
Sch. 1 para. 7

(with
art. 1(3)

)

F3 S. 19(1A) inserted (1.10.2006 for specified purposes. 1.1.2007 in so far as not already in force) by
Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14)

,
ss. 50(9)

,
63(2)

;

S.S.I. 2006/469

,
art. 2

,
schs. 1
, 2 (with
art. 4

)

F4 S. 19(4)(a)(b) substituted (1.1.2007) by
Local Electoral Administration and Registration Services (Scotland) Act 2006 (asp 14)

,
ss. 48(8)(a)

,
63(2)

;

S.S.I. 2006/469

,
art. 3

,
sch. 2
(with
art. 4

)

F5 S. 19(4)(a)(ii) substituted (1.9.2014) by
Marriage and Civil Partnership (Scotland) Act 2014 (asp 5)

,
ss. 21(4)(a)(i)

,
36

;

S.S.I. 2014/212

,
art. 2

,
sch.

(as amended (1.9.2014) by
S.S.I. 2014/218

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- , art. 2(3), sch.)
- F6** S. 19(4)(a)(iii) repealed (1.9.2014) by
Marriage and Civil Partnership (Scotland) Act 2014 (asp 5)
- ,
ss. 21(4)(a)(ii)
- ,
36
;
S.S.I. 2014/212
- ,
art. 2
- ,
sch.
(as amended (1.9.2014) by
S.S.I. 2014/218
- , art. 2(3), sch.)
- F7** Words in s. 19(4)(a)(iv) substituted (1.9.2014) by
Marriage and Civil Partnership (Scotland) Act 2014 (asp 5)
- ,
ss. 21(4)(a)(iii)
- ,
36
;
S.S.I. 2014/212
- ,
art. 2
- ,
sch.
(as amended (1.9.2014) by
S.S.I. 2014/218
- , art. 2(3), sch.)
- F8** Words in s. 19(4)(b)(ii) substituted (1.9.2014) by
Marriage and Civil Partnership (Scotland) Act 2014 (asp 5)
- ,
ss. 21(4)(b)
- ,
36
;
S.S.I. 2014/212
- ,
art. 2
- ,
sch.
(as amended (1.9.2014) by
S.S.I. 2014/218
- , art. 2(3), sch.)
- F9** S. 19(5) repealed (1.9.2014) by
Marriage and Civil Partnership (Scotland) Act 2014 (asp 5)
- ,
ss. 21(4)(c)
- ,
36
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[S.S.I. 2014/212](#)

,

[art. 2](#)

,

[sch.](#)

(as amended (1.9.2014) by

[S.S.I. 2014/218](#)

, [art. 2\(3\)](#), [sch.](#))

Modifications etc. (not altering text)

C1 By

[S.I. 1993/3152](#)

,

[art. 2\(2\)](#)

it is provided (1.4.1994) that the fee payable under s. 19(2) shall be £40.00.

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 9(2)(e) inserted by
2014 asp 5
s. 13(2)(d)