



Marriage Act 1983

1983 CHAPTER 32

Marriages in Northern Ireland

3 Marriages of house-bound and detained persons in Northern Ireland

- (1) Subject to the provisions of this Act and the enactments relating to marriage in Northern Ireland, the marriage of a person who is house-bound or is a detained person may be solemnized in Northern Ireland on the authority of a licence issued by the Registrar General under section 4 below at the place where that person resides.
- (2) Where a marriage is intended to be solemnized on the authority of the Registrar General's licence, notice of the intended marriage must be given in the prescribed form to the registrar of the district in which each party to the intended marriage has resided for at least seven days immediately before the notice is given.
- (3) Where a person other than a detained person is to be married at his or her residence in pursuance of subsection (1) above, the notice of marriage required by subsection (2) above shall, where it is given to the registrar of the district in which the person resides, be accompanied by a medical statement relating to him or her made not more than fourteen days before the date on which the notice is given.
- (4) In the case of the marriage of a detained person, the notice of marriage required by subsection (2) above shall, where it is given to the registrar of the district in which the detained person resides, be accompanied by a statement made in the prescribed form by the responsible authority not more than twenty-one days before the date on which notice of the marriage is given under that subsection—
 - (a) identifying the establishment where the person is detained ; and
 - (b) stating that the responsible authority has no objection to that establishment being specified in the notice of marriage as the place where that marriage is to be solemnized.
- (5) Where notice is given under subsection (2) above, the person giving the notice shall give the registrar the prescribed particulars, in the prescribed form, of the person by or before whom the marriage is intended to be solemnized.

Status: This is the original version (as it was originally enacted).

- (6) The registrar shall not enter the particulars given in the notice of the marriage in the marriage notice book until he has received the statement required by subsection (3) or (4) above and the particulars required by subsection (5) above.
- (7) The fact that a registrar has received a statement under subsection (3) or (4) above shall be entered in the marriage notice book.
- (8) In subsection (4) above "responsible authority" means—
- (a) if the person named in the statement is detained in a prison, the governor or other officer for the time being in charge of that prison ;
 - (b) if the person named in the statement is detained in a hospital or special accommodation, the Health and Social Services Board administering that hospital or the Department, respectively;
 - (c) if the person named in the statement is detained in a private hospital, the person in charge of that hospital.
- (9) For the purposes of this section—
- (a) a person is house-bound if—
 - (i) the notice of his or her marriage given in accordance with subsection (2) above to the registrar of the district in which he or she resides is accompanied by a medical statement relating to him or her; and
 - (ii) he or she is not a detained person ; and
 - (b) a person is a detained person if he or she is for the time being detained—
 - (i) otherwise than by virtue of section 15, 16 or 106 of the Mental Health Act (Northern Ireland) 1961 (short term detentions), as a patient in a hospital ; or
 - (ii) in a prison.
- (10) For the purposes of this section, a person who is housebound or is a detained person shall be taken, if he or she would not otherwise be, to be resident at the place where he or she is for the time being and, in relation to such a person, references in the Marriage Acts, as applied by Schedule 2 to this Act, to his or her dwelling place or usual place of abode shall be construed accordingly.
- (11) In this section—
- "hospital" has the same meaning as in the Mental Health Act (Northern Ireland) 1961 ;
 - "medical statement", in relation to any person, means a statement made in the prescribed form by a registered medical practitioner that in his opinion, at the time the statement is made—
 - (a) by reason of illness or disability, he or she ought not to move or be moved from the place where he or she 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 he or she ought not to move or be moved from that place ;
 - "patient" has the same meaning as in the Mental Health Act (Northern Ireland) 1961 ;
 - "prison" includes a remand centre and a young offenders centre;
 - "private hospital" has the same meaning as in the Mental Health Act (Northern Ireland) 1961;

" special accommodation " has the same meaning as in the Mental Health Act (Northern Ireland)1961.