



# Marriage Act 1994

## 1994 CHAPTER 34

### 1 Solemnization of marriages on premises approved by local authorities.

(1) In section 26(1) of the <sup>M1</sup>Marriage Act 1949 (marriages which may be solemnized on authority of superintendent registrar's certificate) after paragraph (b) there shall be inserted—

“(bb) a marriage on approved premises;”.

(2) After section 46 of that Act there shall be inserted—

*“ Marriages on approved premises*

#### **46A Approval of premises.**

(1) The Secretary of State may by regulations make provision for and in connection with the approval by local authorities of premises for the solemnization of marriages in pursuance of section 26(1)(bb) of this Act.

(2) The matters dealt with by the regulations may include—

- (a) the kinds of premises 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 by a local authority in determining whether to approve any premises;
- (d) the duration and renewal of approvals;
- (e) the conditions that must or may be imposed by a local authority on granting or renewing an approval;
- (f) the determination and charging by local authorities of fees in respect of applications for the approval of premises and in respect of the renewal of approvals;
- (g) the circumstances in which a local authority must or may revoke an approval;
- (h) the review of any decision to refuse an approval or the renewal of an approval, to impose conditions on granting or renewing an approval or to revoke an approval;

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*Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1994. (See end of Document for details)*

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- (i) the notification to the Registrar General of all approvals granted, renewed or revoked;
  - (j) the keeping by local authorities of registers of approved premises;
  - (k) the issue by the Registrar General of guidance supplementing the provision made by the regulations.
- (3) In this section “local authority” means a county council, metropolitan district council or London borough council.
- (4) Regulations under this section may make different provision for different cases or circumstances.
- (5) Any regulations under this section shall be made by statutory instrument, subject to annulment in pursuance of a resolution of either House of Parliament.

#### **46B Solemnization of marriage on approved premises.**

- (1) Any marriage on approved premises in pursuance of section 26(1)(bb) of this Act shall be solemnized in the presence of—
- (a) two witnesses, and
  - (b) the superintendent registrar and a registrar of the registration district in which the premises are situated.
- (2) Without prejudice to the width of section 46A(2)(e) of this Act, the Secretary of State shall exercise his power to provide for the imposition of conditions as there mentioned so as to secure that members of the public are permitted to attend any marriage solemnized on approved premises in pursuance of section 26(1)(bb) of this Act.
- (3) Each of the persons contracting such a marriage shall make the declaration and use the form of words set out in section 44(3) of this Act in the case of marriages in registered buildings in the presence of a registrar.
- (4) No religious service shall be used at a marriage on approved premises in pursuance of section 26(1)(bb) of this Act.”
- (3) The Schedule to this Act contains amendments consequential on those set out above in this section.

#### **Commencement Information**

- II** S. 1 wholly in force at 1.4.1995; s. 1 not in force at Royal Assent see s. 3(2); s. 1(2)(3) in force for certain purposes at 24.2.1995 by S.I. 1995/424, art. 2(1) and s. 1 in force at 1.4.1995 in so far as not already in force by S.I. 1995/424, art. 2(2)

#### **Marginal Citations**

- M1** 1949 c. 76.

## **2 Registration districts in which marriages may be solemnized.**

- (1) In section 35 of the <sup>M2</sup>Marriage Act 1949 (marriages in registration district in which neither party resides) after subsection (2) there shall be inserted—

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“(2A) A superintendent registrar may issue a certificate or, if the marriage is to be by licence, a certificate and licence, for the solemnization of a marriage in the office of another superintendent registrar, notwithstanding that the office is not within a registration district in which either of the persons to be married resides.

(2B) A superintendent registrar may issue a certificate or, if the marriage is to be by licence, a certificate and licence, for the solemnization of a marriage on approved premises, notwithstanding that the premises are not within a registration district in which either of the persons to be married resides.”

(2) For section 36 of that Act (superintendent registrar to issue licences only for marriages to be solemnized in his registration district) there shall be substituted—

**“36 Superintendent registrar not normally to issue licences for marriages in registered buildings outside his district.**

Subject to section 35 of this Act, a superintendent registrar shall not issue a licence for the solemnization of a marriage in a registered building which is not within his registration district.”

**Commencement Information**

**I2** S. 2 wholly in force at 1.4.1995; s. 2 not in force at Royal Assent see s. 3(2); s. 2(1) in force for a certain purpose at 1.1.1995 and s. 2(2) in force at 1.1.1995 by S.I. 1994/3116, art. 2; s. 2(1) in force at 1.4.1995 in so far as not already in force by S.I. 1995/424, art. 2(d)

**Marginal Citations**

**M2** 1949 c. 76.

**3 Short title and commencement.**

(1) This Act may be cited as the Marriage Act 1994.

(2) This Act shall come into force on such day as the Secretary of State may appoint by order made by statutory instrument; and different days may be appointed for different purposes.

**Subordinate Legislation Made**

**P1** S. 3(2) power partly exercised (7.12.1994): 1.1.1995 appointed for specified provisions by S.I. 1994/3116, art. 2  
S. 3(2) power partly exercised (23.2.1995): different dates appointed for specified provisions by S.I. 1995/424, art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage Act 1994.