



# Marriage Act 1949

## 1949 CHAPTER 76

### PART II

#### MARRIAGE ACCORDING TO RITES OF THE CHURCH OF ENGLAND

##### *Licensing of chapels for publication of banns and solemnization of marriages*

#### **20 Licensing of chapels for publication of banns and solemnization of marriages for persons residing in specified district**

- (1) Subject to the provisions of this section, the bishop of the diocese in which a public chapel is situated may—
- (a) if he thinks it necessary so to do for the due accommodation and convenience of the inhabitants of any district; and
  - (b) if the patron and incumbent of the church of the parish in which the public chapel is situated have signified their consent under their respective hands and seals,

authorise by a licence under his hand and seal the publication of banns and the solemnization of marriages in that public chapel between parties both or either of whom reside or resides within a district of which the limits shall be specified in the licence; and any such licence may include such provisions concerning the amount, appropriation or apportionment of dues and such other particulars as the bishop thinks fit.

- (2) Notwithstanding anything in the last foregoing subsection, the bishop of the diocese may grant a licence under this section without the consent of the patron and incumbent of the church of the parish in which the public chapel is situated after two months notice in writing given to the patron and incumbent by the registrar of the diocese:

Provided that where any patron or incumbent who refuses or withholds his consent to the grant of a licence under this section delivers to the bishop under his hand and seal a statement of the reasons for which the consent has been refused or withheld, no licence shall be granted by the bishop until he has inquired into the reasons contained in the statement.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Where a bishop grants a licence under this section without the consent of the patron and incumbent, the patron or incumbent may, within one month from the grant of the licence, appeal to the archbishop of the province who shall hear the appeal in a summary manner, and shall make such order confirming, revoking or varying the licence as seems to him expedient.
- (4) Any licence granted or order made under this section may at any time be revoked in writing under the hand and seal of the bishop of the diocese with the consent in writing of the archbishop of the province; and the registrar of the diocese shall notify the revocation in writing to the minister officiating in the chapel concerned and shall give public notice of the revocation by advertisement in some newspaper circulating within the county in which the chapel is situated and in the London Gazette.
- (5) There shall be displayed in some conspicuous part of the interior of any chapel licensed under this section the words "Banns may be published and marriages may be solemnized in this chapel".
- (6) Every consent of a patron or incumbent delivered under subsection (1) of this section, a copy of every notice given by the registrar of a diocese under subsection (2) of this section, every statement of reasons' delivered by a patron or incumbent under the said subsection (2), together with the bishop's decision thereon under his hand and seal, every order made by an archbishop under subsection (3) of this section and every revocation and consent made or given under subsection (4) of this section, shall be registered in the registry of the diocese.
- (7) The district specified in a licence granted under this section may be taken out of more than one parish; and where any such licence specifies a district taken out of more than one parish the expressions "patron" and "incumbent" shall for the purposes of this section mean the patron or incumbent, as the case may be, of the church of every parish out of which the district so specified is taken.
- (8) In this section the expression "public chapel" means any public chapel with or without a chapelry annexed thereto, or any chapel duly licensed for the celebration of divine service according to the rites and ceremonies of the Church of England, or any chapel the minister of which is duly licensed to officiate therein according to the rites and ceremonies of the Church of England.

## **21 Authorising of publication of banns and solemnization of marriages in churches and chapels of extra parochial places**

- (1) Where any extra-parochial place has belonging to it or within it any church or chapel of the Church of England, the bishop of the diocese in which the church or chapel is situated may, if he thinks fit, authorise in writing under his hand and seal the publication of banns and the solemnization of marriages by banns or licence in that church or chapel between parties both or either of whom reside or resides in that extra-parochial place.
- (2) Every authorisation given under the last foregoing subsection shall be registered in the registry of the diocese.