



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART III

MARRIAGE UNDER [<sup>F1</sup>MARRIAGE SCHEDULE]

*Issue of [<sup>F1</sup>a marriage schedule]*

### 35 Marriages in registration district in which neither party resides.

(1) A superintendent registrar may issue a [<sup>F1</sup>marriage schedule]<sup>F2</sup> . . . for the solemnization of a marriage in a registered building which is not within a registration district in which either of the persons to be married resides, where the person giving the notice of marriage declares by endorsement thereon in the prescribed form—

- [<sup>F3</sup>(a) that the persons to be married desire the marriage to be solemnized according to a specified form, rite or ceremony, being a form, rite or ceremony of a body or denomination of christians or other persons meeting for religious worship to which one of them professes to belong.]
- (b) that, to the best of his or her belief, there is not within the registration district in which one of them resides any registered building in which marriage is solemnized according to that form, rite or ceremony;
- (c) the registration district nearest to the residence of that person in which there is a registered building in which marriage may be so solemnized; and
- (d) the registered building in that district in which the marriage is intended to be solemnized;

and where any such [<sup>F1</sup>marriage schedule]<sup>F4</sup> is issued <sup>F5</sup> . . .], the marriage may be solemnized in the registered building stated in the notice.

[<sup>F6</sup>(2) A superintendent registrar may issue a [<sup>F7</sup>marriage schedule]<sup>F8</sup> . . . for the solemnization of a marriage in a registered building which is the usual place of worship of the persons to be married, or of one of them, notwithstanding that the building is not within a registration district in which either of those persons resides.]

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*Changes to legislation: There are currently no known outstanding effects  
 for the Marriage Act 1949, Section 35. (See end of Document for details)*

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- [<sup>F9</sup>(2A) A superintendent registrar may issue a [<sup>F10</sup>marriage schedule]<sup>F11</sup>. . . for the solemnization of a marriage in [<sup>F12</sup>the superintendent registrar’s office], notwithstanding that the office is not within a registration district in which either of the persons to be married resides.]
- [<sup>F13</sup>(2B) A superintendent registrar may issue a [<sup>F14</sup>marriage schedule]<sup>F11</sup>. . . 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.]
- (3) A superintendent registrar may issue a [<sup>F15</sup>marriage schedule] for the solemnization of a marriage in any parish church or authorised chapel which is the usual place of worship of the persons to be married, or of one of them, notwithstanding that the church or chapel is not within a registration district in which either of those persons resides.
- [<sup>F16</sup>(3A) In a case where one or both of the persons to be married (“the couple”) are not relevant nationals, a superintendent registrar may issue a [<sup>F17</sup>marriage schedule] for the solemnization of a marriage in a qualifying church or chapel, notwithstanding that it is not within a registration district in which either of the couple resides.
- (3B) In subsection (3A) “qualifying church or chapel” means a church or chapel which is not the usual place of worship of the couple but in which it would be possible—
- (a) (if section 5(3)(a) were disregarded) for the marriage of the couple to be solemnized in accordance with section 5(1)(a) (marriage after publication of banns), or
  - (b) (if section 5(3)(b) were disregarded) for the marriage of the couple to be solemnized in accordance with section 5(1)(c) (marriage on authority of common licence).]

(4) A superintendent registrar may issue a [<sup>F18</sup>marriage schedule]<sup>F8</sup>. . . for the solemnization of a marriage according to the usages of the Society of Friends or in accordance with the usages of persons professing the Jewish religion, notwithstanding that the building or place in which the marriage is to be solemnized is not within a registration district in which either of the persons to be married resides.

(5) Where a marriage is intended to be solemnized on the authority of [<sup>F19</sup>a marriage schedule] issued under subsection (2) or subsection (3) of this section, [<sup>F20</sup>each notice] of marriage <sup>F21</sup>... and [<sup>F22</sup>the marriage schedule] shall state, in addition to the description of the registered building or, as the case may be, the parish church or authorised chapel, in which the marriage is to be solemnized, that it is the usual place of worship of the persons to be married or of one of them and, in the latter case, shall state the name of the person whose usual place of worship it is.

[<sup>F23</sup>(6) Where a marriage is intended to be solemnized on the authority of [<sup>F24</sup>a marriage schedule] issued under subsection (3A), each notice of marriage <sup>F25</sup>... and [<sup>F26</sup>the marriage schedule] shall state, in addition to the description of the church or chapel in which the marriage is to be solemnized, that it would be possible for the marriage of the couple to be solemnized in that church or chapel after the publication of banns or on the authority of a common licence (if section 5(3) were disregarded).]

*Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949, Section 35. (See end of Document for details)*

### Textual Amendments

- F1** Words in s. 35(1) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F2** Words in s. 35(1) repealed (1.1.2001) by [1999 c. 33](#), s. 169(1)(3), Sch. 14 paras. 3, 17(1)(2)(a), [Sch. 16](#); [S.I. 2000/2698](#), [art. 2](#)
- F3** S. 35(1)(a) substituted by [Marriage Act 1949 \(Amendment\) Act 1954 \(c. 47\)](#), [s. 2](#)
- F4** Words in s. 35(1) substituted (1.1.2001) by [1999 c. 33](#), s. 169(1)(3), Sch. 14 paras. 3, [17\(1\)\(2\)\(b\)](#); [S.I. 2000/2698](#), [art. 2](#)
- F5** Words in s. 35(1) omitted (4.5.2021) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(3\)](#) (with Sch. 2)
- F6** S. 35(2) substituted by [Marriage Act 1949 \(Amendment\) Act 1954 \(c. 47\)](#), [s. 1](#)
- F7** Words in s. 35(2) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F8** Words in s. 35(2)(4) repealed (1.1.2001) by [1999 c. 33](#), s. 169(1)(3), Sch. 14 paras. 3, 17(1)(3), [Sch. 16](#); [S.I. 2000/2698](#), [art. 2](#)
- F9** S. 35(2A) inserted (1.1.1995) by [1994 c. 34](#), [s. 2\(1\)](#); [S.I. 1994/3116](#), [art. 2\(a\)](#)
- F10** Words in s. 35(2A) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F11** Words in s. 35(2A)(2B) repealed (1.1.2001) by [1999 c. 33](#), s. 169(1)(3), Sch. 14 paras. 3, 17(1)(4), [Sch. 16](#); [S.I. 2000/2698](#), [art. 2](#)
- F12** Words in s. 35(2A) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(4\)](#) (with Sch. 2)
- F13** S. 35(2B) inserted (1.4.1995) by [1994 c. 34](#), [s. 2\(1\)](#); [S.I. 1995/424](#), [art. 2\(2\)](#)
- F14** Words in s. 35(2B) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F15** Words in s. 35(3) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F16** S. 35(3A)(3B) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 12\(2\)](#) (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), [art. 2\(1\)\(f\)](#)
- F17** Words in s. 35(3A) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F18** Words in s. 35(4) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(2\)](#) (with Sch. 2)
- F19** Words in s. 35(5) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(a\)](#) (with Sch. 2)
- F20** Words in s. 35(5) substituted (1.1.2001) by [1999 c. 33](#), s. 169(1), Sch. 14 paras. 3, [17\(1\)\(5\)\(b\)](#); [S.I. 2000/2698](#), [art. 2](#)
- F21** Words in s. 35(5) omitted (4.5.2021) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(b\)](#) (with Sch. 2)
- F22** Words in s. 35(5) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(c\)](#) (with Sch. 2)
- F23** S. 35(6) inserted (1.3.2015) by [Immigration Act 2014 \(c. 22\)](#), s. 75(3), [Sch. 4 para. 12\(3\)](#) (with [Sch. 9 para. 66](#)); [S.I. 2015/371](#), [art. 2\(1\)\(f\)](#)
- F24** Words in s. 35(6) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(a\)](#) (with Sch. 2)
- F25** Words in s. 35(6) omitted (4.5.2021) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(b\)](#) (with Sch. 2)
- F26** Words in s. 35(6) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 25\(5\)\(c\)](#) (with Sch. 2)

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*Changes to legislation: There are currently no known outstanding effects  
for the Marriage Act 1949, Section 35. (See end of Document for details)*

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**Modifications etc. (not altering text)**

**C1** Pt. 3 applied (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\), ss. 1\(2\)\(a\), 21\(3\)](#); S.I. 2014/93, art. 3(a)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage Act 1949, Section 35.