



Marriage Act 1949

1949 CHAPTER 76

PART VI

GENERAL

75 Offences relating to solemnization of marriages

(1) Any person who knowingly and wilfully—

- (a) solemnizes a marriage at any other time than between the hours of eight in the forenoon and six in the afternoon (not being a marriage by special licence, a marriage according to the usages of the Society of Friends or a marriage between two persons professing the Jewish religion according to the usages of the Jews);
- (b) solemnizes a marriage according to the rites of the Church of England without banns of matrimony having been duly published (not being a marriage solemnized on the authority of a special licence, a common licence or a certificate of a superintendent registrar);
- (c) solemnizes a marriage according to the said rites (not being a marriage by special licence) in any place other than a church or other building in which banns may be published;
- (d) solemnizes a marriage according to the said rites falsely pretending to be in Holy Orders;

shall be guilty of felony and shall be liable to imprisonment for a term not exceeding fourteen years.

(2) Any person who knowingly and wilfully—

- (a) solemnizes a marriage (not being a marriage by special licence, a marriage according to the usages of the Society of Friends or a marriage between two persons professing the Jewish religion according to the usages of the Jews) in any place other than—
 - (i) a church or other building in which marriages may be solemnized according to the rites of the Church of England, or

Status: This is the original version (as it was originally enacted).

- (ii) the registered building or office specified in the notice of marriage and certificate required under Part III of this Act;
 - (b) solemnizes a marriage in any such registered building as aforesaid (not being a marriage in the presence of an authorised person) in the absence of a registrar of the district in which the registered building is situated;
 - (c) solemnizes a marriage in the office of a superintendent registrar in the absence of a registrar of the district in which the office is situated;
 - (d) solemnizes a marriage on the authority of a certificate of a superintendent registrar (not being a marriage by licence) within twenty-one days after the day on which the notice of marriage was entered in the marriage notice book;
or
 - (e) solemnizes a marriage on the authority of a certificate of a superintendent registrar after the expiration of three months from the said day on which the notice of marriage was entered as aforesaid;
- shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.
- (3) A superintendent registrar who knowingly and wilfully—
- (a) issues any certificate for marriage (not being a marriage by licence) before the expiration of twenty-one days from the day on which the notice of marriage was entered in the marriage notice book, or issues a certificate for marriage by licence before the expiration of one whole day from the said day on which the notice was entered as aforesaid;
 - (b) issues any certificate or licence for marriage after the expiration of three months from the said day;
 - (c) issues any certificate the issue of which has been forbidden under section thirty of this Act by any person entitled to forbid the issue of such a certificate;
or
 - (d) solemnizes or permits to be solemnized in his office any marriage which is void by virtue of any of the provisions of Part III of this Act;
- shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.
- (4) No prosecution under this section shall be commenced after the expiration of three years from the commission of the offence.
- (5) Any reference in subsection (2) of this section to a registered building shall be construed as including a reference to any chapel registered under section seventy of this Act.