
STATUTORY INSTRUMENTS

1986 No. 1442

**REGISTRATION OF BIRTHS,
DEATHS, MARRIAGES, ETC.**

ENGLAND AND WALES

The Registration of Marriages Regulations 1986

Made - - - - - *20th August 1986*

Coming into Operation

Except regulation 6 *1st October 1986*

Regulation 6 *1st November 1986*

The Registrar General in exercise of the powers conferred upon him by sections 27(1) and (2), 27A(3), (4) and (7), 27B(2)(b), 31(2) and (5), 32(2) and (4), 35(1), 55(1), 57(2), 74 and 76(5) of the Marriage Act 1949(1), section 20(a) of the Registration Service Act 1953 and sections 2(1), 7 and 18 of the Marriage (Registrar General's Licence) Act 1970 and of all other powers enabling him in that behalf, with the approval of the Secretary of State for Social Services(2), hereby makes the following regulations:—

PART I
GENERAL

Citation and commencement

1. These regulations may be cited as the Registration of Marriages Regulations 1986 and shall come into operation on 1st October 1986 except for regulation 6 which shall come into operation on 1st November 1986.

(1) section 27A was inserted by paragraph 6 of Schedule 1 to the Marriage Act 1983 (c.32) and section 27B by paragraph 5 of Schedule 1 to the Marriage (Prohibited Degrees of Relationship) Act 1986 (c.16); section 74 was amended by Schedule 2 to the Registration Service Act 1953 (c.37).
(2) In relation to the references to the Minister of Health in section 74 of the Marriage Act 1949 and section 20 of the Registration Service Act 1953, see the Secretary of State for Social Services Order 1968 (S.I. 1968/1699), article 2.

Interpretation

- 2.—(1) In these regulations, unless the context otherwise requires—
- “the Act” means the Marriage Act 1949;
 - “the 1970 Act” means the Marriage (Registrar General's Licence) Act 1970;
 - “entry” means a record of the particulars relating to a marriage completed in the appropriate places in form 13;
 - “occupation” includes rank or profession.
- (2) In these regulations, unless the context otherwise requires—
- (a) any reference to a numbered regulation is to the regulation in these regulations bearing that number and any reference in a regulation to a numbered paragraph is to the paragraph (of that regulation) bearing that number;
 - (b) any reference to a numbered form is to the form bearing that number in Schedule 1 to these regulations and any reference to a numbered column on a form is to the column bearing that number on that form.

PART II

PRELIMINARIES TO MARRIAGE

Forms of notice of marriage

3. The form of notice of marriage to be given shall be—
- (a) under section 27(1) of the Act (marriage intended to be solemnized on authority of certificate of superintendent registrar without licence), form 1;
 - (b) under section 27(2) of the Act (marriage intended to be solemnized on authority of certificate of superintendent registrar by licence), form 2;
 - (c) under section 2(1) of the 1970 Act (marriage intended to be solemnized on authority of Registrar General's licence), form 3.

Endorsement on notice of marriage

4. The form of endorsement on the notice of marriage to be made under section 35(1) of the Act (marriage intended to be solemnized in a registered building which is not within a registration district in which either party resides) shall be form 4.

Statements and particulars for intended marriage of house-bound or detained person

5. Where a marriage is intended to be solemnized in pursuance of section 26(1)(dd) of the Act⁽³⁾ at the residence of a house-bound or detained person (defined in section 27A(1) of the Act⁽⁴⁾ as a “relevant person”)—
- (a) the form of medical statement which if the relevant person is not a detained person is (pursuant to section 27A(2) of the Act) to accompany the notice of marriage shall be form 5;
 - (b) the form of statement which if the relevant person is a detained person is (pursuant to section 27A(3) of the Act) to accompany the notice of marriage shall be form 6;

⁽³⁾ Section 26(1)(dd) was inserted by paragraph 4(a) of Schedule 1 to the Marriage Act 1983.

⁽⁴⁾ Section 27A was inserted by paragraph 6 of Schedule 1 to the Marriage Act 1983.

- (c) the form of particulars of the person by or before whom the marriage is intended to be solemnized which (pursuant to section 27A(4) of the Act) are required to be given to the superintendent registrar shall be form 7 and the particulars required to be given shall be those there specified.

Declaration for intended marriage of certain persons related by affinity

6.—(1) Where a marriage mentioned in section 1(2) of the Act⁽⁵⁾ is intended to be solemnized on the authority of a certificate of a superintendent registrar, the form of declaration to be made, pursuant to section 27B(2)(b) of the Act⁽⁶⁾, by each of the persons to be married shall be form 8.

(2) A declaration mentioned in paragraph (1) shall be signed, in the space provided, by the person making it in the presence of the superintendent registrar who shall then, in the space provided, sign the declaration as witness and add his description.

(3) The superintendent registrar referred to in paragraph (2) is the superintendent registrar or, as the case may be, either of the two superintendent registrars, to whom notice of the marriage is required to be given.

Authorities for marriage issued by a superintendent registrar and by the Registrar General

7.—(1) The form of certificate for marriage to be issued by a superintendent registrar under section 31(2) of the Act (marriage without licence) shall be form 9.

(2) The form of certificate and licence for marriage to be issued by a superintendent registrar under section 32(2) of the Act (marriage by licence) shall be form 10.

(3) The form of the Registrar General's licence for marriage to be issued under section 7 of the 1970 Act shall be form 11.

Form of instructions for solemnization of a marriage in a registered building without the presence of a registrar

8. The form of instructions to be given by a superintendent registrar under section 31(5) or 32(4) of the Act, as the case may be, to one of the persons whose marriage is to be solemnized in a registered building for which an authorised person has been appointed and no notice has been given requiring the presence of a registrar, shall be form 12.

Combination of forms

9. Any form prescribed by this Part of these regulations may be combined with any other such form.

PART III

REGISTRATION OF MARRIAGE (INCLUDING DUTIES OF REGISTRAR)

Form of registration of particulars and place of registration

10.—(1) The form of registration of the particulars relating to a marriage pursuant to section 55(1) of the Act shall be Part I of form 13 together with the form of attestation in Part II of that form which is appropriate to the place and manner of solemnization.

(5) Section 1(2) was inserted by paragraph 2 of Schedule 1 to the Marriage (Prohibited Degrees of Relationship) Act 1986.

(6) Section 27B was inserted by paragraph 5 of Schedule 1 to the Marriage (Prohibited Degrees of Relationship) Act 1986.

(2) Where a registrar is required to register the marriage, he shall register it, immediately after the solemnization of the marriage and in accordance with the provisions of this Part of these regulations, within the premises where it was solemnized.

Manner of registration

11.—(1) Where a registrar is required to register the marriage he shall, subject to paragraph (5), enter the particulars required in each column of Part I of form 13.

(2) In column 4 the registrar shall enter the condition of the parties to the marriage in the following manner—

- (a) if a party has not previously been married, he shall enter the word “Bachelor” or, as the case may be, “Spinster”;
- (b) if a party's previous marriage was terminated by death he shall enter the word “Widower” or, as the case may be, “Widow”;
- (c) if a party's previous marriage was annulled on the ground that the marriage was voidable, he shall enter the words “Previous marriage annulled”;
- (d) if a party's previous marriage was terminated by divorce he shall enter the words “Previous marriage dissolved”;
- (e) if the marriage is between two parties who have previously been through a form of marriage with each other (not being a marriage which is known to have been null and void) and neither of them has since married a third party, then (and notwithstanding subparagraphs (c) and (d) above)—
 - (i) if the previous marriage was terminated by divorce, he shall enter the words “Previously married at ... on ... Marriage dissolved on ...”, inserting particulars of the place and date of the previous marriage and the date of its dissolution, or
 - (ii) if the previous marriage was annulled, he shall enter the words “Previously married at ... on ... Marriage annulled on ...”, inserting particulars of the place and date of the previous marriage and the date of its annulment, or
 - (iii) if the ceremony was performed for the avoidance of doubt as to the validity of a previous ceremony, he shall enter the words “Previously went through a form of marriage at ... on ...”, inserting the particulars of the place and date of the previous ceremony;

and no further entry shall be made in column 4.

(3) In column 6 if either of the parties has moved into another district since the notice of marriage was given, the registrar shall enter the words “Late of ... but now residing at ...”, inserting the full address of both residences.

(4) In column 7 if the father of either party to the marriage is deceased, the registrar shall enter the word “deceased” after the surname.

(5) Where it appears to the registrar that he cannot enter the particulars required in any column in Part I of form 13 he shall draw a line in ink through that column.

Entry of attestation

12. In the form of attestation set out in Part II of form 13 the registrar shall enter in the places respectively provided for the purpose the following particulars:—

- (a) if the marriage has been solemnized in a registered building according to the rites and ceremonies of any religious body or denomination, the description of the registered building, the title of the body or denomination according to the rites and ceremonies of

which the marriage has been solemnized, and the word “certificate” or, as the case may be, “licence”;

- (b) if the marriage has been solemnized in a superintendent registrar's office, the words “register office” and the word “certificate” or, as the case may be, “licence”;
- (c) if the marriage has been solemnized on the authority of a Registrar General's licence, the address of the place in which the marriage has been solemnized, the title of the religious body or denomination, if any, according to the rites and ceremonies of which the marriage has been solemnized, and the words “Registrar General's licence”;
- (d) if the marriage has been solemnized at a person's residence in pursuance of section 26(1)(dd) of the Act, the address of the place in which the marriage has been solemnized, the title of the religious body or denomination, if any, according to the rites and ceremonies of which the marriage has been solemnized and the word “certificate”.

Signing the register

13.—(1) After entering the required particulars the registrar shall call upon the parties to the marriage to verify those particulars and, if it appears that any error has been made, the registrar shall thereupon in the presence of the parties make the necessary correction in the manner provided in regulation 15.

(2) When the required particulars have been verified in accordance with paragraph (1) the registrar shall call upon the parties to sign the marriage register book in the spaces provided and after the parties have signed the register book the registrar shall call upon the witnesses to sign similarly.

(3) The registrar shall then call upon the minister or other person, if any, or the superintendent registrar by or before whom the marriage was solemnized to sign the marriage register book in the space provided and to add his official designation or description.

(4) The registrar shall then sign the marriage register book in the space provided and add his official description.

(5) Where a person who is required under paragraph (2) or (3) to sign the marriage register book makes a mark or signs in characters other than those used in the English or Welsh languages, the registrar shall write against the mark or signature the words “The mark (or signature) of ...”, inserting the forenames and surname of the person.

PART IV

CORRECTION OF ERRORS

Time when entry is complete

14. An entry of marriage made by a registrar shall for the purposes of these regulations be deemed to have been completed when the registrar has signed the entry and has added his official description.

Correction of errors before entry is complete

15.—(1) Where under these regulations the registrar is required to correct an error in an entry of a marriage before the entry is complete he shall, subject to paragraph (2), make the correction in the following manner—

- (a) if a word is incorrect, he shall strike it out by a line drawn through it, so however that the word remains legible, and write the correct word above it;

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- (b) if in any group of figures one or more figures is incorrect he shall strike out all the figures in the group by a line drawn through them, so however that they remain legible, and write the correct figures above them;
 - (c) if a word has been omitted, he shall place a caret where the omission occurs and above the caret he shall write the omitted word, except that if there is sufficient space he shall write that word where the omission occurs and underline it;
 - (d) all such corrected errors shall be numbered consecutively by the registrar from the beginning of the marriage register book starting with “one”, and on making such a correction the registrar shall write the number of the error in figures against the correction in the body of the entry and shall repeat the same number in words in the margin of the entry and add his initials;
 - (e) if the particulars required to be entered in any two columns have been inadvertently transposed, the registrar shall, without any other correction, write in the margin of the entry a note of the error in the following form: “The particulars in column ... and column ... inadvertently transposed”, inserting the numbers of the columns and adding his initials;
 - (f) if the particulars required to be entered in respect of the parties to a marriage, or the fathers of the parties, have been inadvertently transposed, the registrar shall, without any other correction, write in the margin of the entry a note to that effect, specifying the particulars to which the note relates, and add his initials.
- (2) If it appears that an error has been made in the signature of one of the parties or witnesses to a marriage the signatory and not the registrar shall make the correction, and the registrar shall number the error and make a note in the margin as provided in paragraph (1)(d).

Correction of errors in completed entry

16. Where it appears or is represented to the superintendent registrar or the registrar that there is in a completed entry in a marriage register book in his custody an error to which section 61 of the Act relates he shall send a report to the Registrar General giving such information as the Registrar General may require, together with a copy of the entry, and shall comply with any instruction which the Registrar General may give for the purpose of verifying the facts of the case and of ascertaining whether the parties or witnesses would be available to witness the correction of the entry.

Copy of corrected or annotated entry to be sent to Registrar General

17. Where a registrar makes any correction or annotation to a completed entry in a marriage register book he shall within seven days make and send to the Registrar General a copy of that entry as corrected or annotated (or both) including a copy of any marginal note, certified by—
- (a) the registrar, if the marriage register book containing that entry is in his custody (and paragraph (b) does not apply); or
 - (b) the registrar and the superintendent registrar, if the marriage register book containing that entry is in the custody of the registrar and a quarterly copy of the entry has been certified; or
 - (c) the superintendent registrar, if the marriage register book containing that entry is in his custody.

PART V

MISCELLANEOUS PROVISIONS

Quarterly certified copies

18. For the purposes of section 57(2) of the Act (which requires registrars to make quarterly returns to superintendent registrars), the form of certification by a registrar—

- (a) of a true copy of all entries of marriages made in the marriage register book during a period, shall be form 14; and
- (b) that no marriage has been registered in that book during that period, shall be form 15.

Applications for certificates for certain purposes

19. Where a person wishes to make an application to a registrar for a certificate of marriage for the purposes of section 10 of the Savings Bank Act 1887(7), the registrar shall on request provide that person without charge with a form of application supplied by the Registrar General.

Offences and proceedings

20.—(1) If it appears to a superintendent registrar or a registrar that any offence under or breach of the Act or the 1970 Act or, so far as they relate to marriages, the Perjury Act 1911 or the Forgery and Counterfeiting Act 1981 has been committed, he shall report the matter to the Registrar General and he shall deliver to the Registrar General such documents in his possession relating to the offence or breach as the Registrar General may require.

(2) Except with the authority of the Registrar General, a superintendent registrar shall not commence any proceedings in respect of an offence under section 76(1) or (2) of the Act.

Consequential amendments

21.—(1) The Registration of Births, Deaths and Marriages Regulations 1968(8) shall be amended in accordance with the following paragraphs of this regulation.

(2) In the definition of “entry” in regulation 2(1) and in each of regulations 14, 71, 72(1) and 84(1) for the words “, death or marriage” there shall be substituted the words “or death” and in the definition of “entry” for the reference to “, 9 or 23” there shall be substituted a reference to “or 9”.

(3) In regulation 77A(1) for the words “, deaths or marriages” there shall be substituted the words “or deaths”.

(4) In regulation 88—

(a) in paragraph (1)—

- (i) for the words “the Act, the” there shall be substituted the words “the Act or the”, and
- (ii) the words “or the Marriage Act 1949” and “to marriages or” shall be omitted; and

(b) in paragraph (2) the words from “or under section 76(1)” to the end of the paragraph shall be omitted.

(7) section 10 was amended by Part III of Schedule 6 to the Post Office Act 1969 (c.48) and by Schedule 4 to the Trustee Savings Banks Act 1985 (c.58) and by the Schedule to the Registration of Births, Deaths and Marriages Fees Order 1985 (S.I. 1985/1960).

(8) the relevant amending instrument is S.I. 1982/955.

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Revocations and transitional provision

22.—(1) The regulations specified in column 1 of Schedule 2 to these regulations are hereby revoked to the extent mentioned in column 3 of that Schedule.

(2) Any form prescribed by any regulation revoked by paragraph (1) which is not also prescribed by any preceding provision of these regulations but which was in use immediately before the commencement of these regulations for any purpose for which these regulations provide may continue to be used for that purpose as a prescribed form under these regulations up to and including 31st December 1987.

Given under my hand on 7th August 1986.

A. R. Thatcher
Registrar General

Signed by authority of the Secretary of State for Social Services.

20th August 1986

Trumpington
Parliamentary Under-Secretary of State
Department of Health and Social Security

SCHEDULE 1

Regulation 2(2)(b)

PRESCRIBED FORMS

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Form 1 Notice of marriage without licence

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Form 2 Notice of marriage with licence

Regulation 3(b)

Form 3 Notice of marriage by Registrar General's Licence

Regulation 3(c)

Form 4 Endorsement on notice of marriage

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	Regulation 4
Form 5 Statement by registered medical practitioner	Regulation 5(a)
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SCHEDULE 2 Regulation 22(1)

REVOCATIONS

<i>Column 1</i> <i>Regulations revoked</i>	<i>Column 2</i> <i>References</i>	<i>Column 3</i> <i>Extent of revocation</i>
The Registration of Births, Deaths and Marriages Regulations 1968.	S.I. 1968/2049.	In regulation 2(1), the definition of “authorised person”. Part XI. Regulation 77. Regulation 77A(3).

<i>Column 1</i> <i>Regulations revoked</i>	<i>Column 2</i> <i>References</i>	<i>Column 3</i> <i>Extent of revocation</i> Regulation 78(2).
The Marriage (Registrar General's Licence) Regulations 1970.	S.I. 1970/1780.	The whole Regulations.
The Registration of Births, Deaths and Marriages (Amendment) Regulations 1971.	S.I. 1971/1218.	The whole Regulations.
The Registration of Births, Deaths and Marriages (Amendment) Regulations 1984.	S.I. 1984/460.	The whole Regulations.

EXPLANATORY NOTE

These regulations consolidate with mostly minor amendments the provisions of the Registration of Births, Deaths and Marriages Regulations 1968, and of subsequent amending regulations, relating to the registration of marriages, and also the Marriage (Registrar General's Licence) Regulations 1970. They prescribe the forms to be used for the preliminaries to marriage (regulations 3 to 9), the form of registration of particulars (regulation 10), and the manner of registration by registrars (regulations 11 to 13).

In addition, they make provision for the correction of marriage entries (regulations 14 to 17); for the form of certification of quarterly returns (regulation 18); for applications for marriage certificates for certain purposes (regulation 19); and for offences, in particular for offences under specified enactments to be reported to the Registrar General (regulation 20). Provision is also made for consequential amendments (regulation 21) and for revocation of the provisions replaced with transitional provision for continued use of existing forms until the end of 1987 (regulation 22).

The principal change of substance is the prescribing, consequential on the coming into force of the Marriage (Prohibited Degrees of Relationship) Act 1986, of a form of declaration of certain affinal relationships (regulation 6). Other changes of substance are the replacement of the four prescribed forms of notice of marriage without licence, and similarly the two forms of certificate for marriage, by a single form and the introduction of a separate form for the statement of the person by or before whom certain marriages are to be solemnized. Changes of substance are also made to regulation 11 (manner of registration). This no longer prescribes the manner in which the registrar is to complete the entry relating to age and it now prescribes the manner in which the marital condition of the parties to a marriage is to be entered where the parties have previously been through a form of marriage with each other and that marriage was annulled, neither party having since married a third person. In addition regulation 19 (application for certificate for certain purposes) does not include a reference to the purposes of section 160(2) of the Social Security Act 1975 (c. 14), the duties of registrars in this respect being governed by section 160(2) and (3) of that Act.