

1990 No. 598

MARRIAGE

The Foreign Marriage (Amendment) Order 1990

<i>Made - - - -</i>	<i>14th March 1990</i>
<i>Laid before Parliament</i>	<i>22nd March 1990</i>
<i>Coming into force</i>	<i>12th April 1990</i>

At the Court at Buckingham Palace, the 14th day of March 1990

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue and in exercise of the powers conferred on Her by sections 18(2) and 21(1) of the Foreign Marriage Act 1892(a), as amended by sections 4(2) and 6 of the Foreign Marriage Act 1947(b) and section 1 of the Foreign Marriage (Amendment) Act 1988(c), or otherwise in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1.—(1) This Order may be cited as the Foreign Marriage (Amendment) Order 1990 and it shall come into force on 12th April 1990.

(2) In this Order, “the 1970 Order” means the Foreign Marriage Order 1970(d).

2. In Articles 3(1)(a) and 7(1) of the 1970 Order, for the words “British subject” there shall be substituted the words “United Kingdom national”.

3. In Article 3(1)(d) of the 1970 Order, for the words “to which each party belongs” there shall be substituted the words “in which each party is domiciled”.

4.—(1) Article 6 of the 1970 Order shall be re-numbered Article 6(1).

(2) To Article 6 of the said Order there shall be added the following:

“(2) Any person shall be entitled to obtain from the appropriate Registrar General a certified copy of any document received by that Registrar General under paragraph (1) of this Article on payment of a fee in respect of the provision of the copy and any necessary search for the document.

(3) The fee payable under paragraph (2) above shall be the same fee as is for the time being charged by the appropriate Registrar General for the provision of a certified copy of, and any necessary search for, an entry in the records in his custody of marriages performed in Scotland or Northern Ireland, as the case may be.

(4) A certified copy provided by the appropriate Registrar General under paragraph (2) above of an entry in the marriage register shall be sufficient evidence of the marriage.

(a) 1892 c.23.
(b) 1947 c.33.
(c) 1988 c.44.
(d) S.I. 1970/1539.

(5) In this Article, "the appropriate Registrar General" means the Registrar General of Births, Deaths and Marriages for Scotland, or the Registrar General in Northern Ireland, as the case may be."

G.I. de Deney
Clerk of the Privy Council

EXPLANATORY NOTE

(This Note is not part of the Order)

This Order is made under the Foreign Marriage Acts 1892 to 1947 and the Foreign Marriage (Amendment) Act 1988.

It amends the Foreign Marriage Order 1970 (which lays down conditions under which marriages of British subjects may be solemnised by marriage officers under the Acts) in three respects. First it amends Articles 3 and 7 of the 1970 Order by substituting the words "United Kingdom national" for "British subject". This change is consequential upon section 1 of the Foreign Marriage (Amendment) Act 1988. Secondly, it amends Article 3 of the 1970 Order, making it clear that the marriage officer must be satisfied (among other things) that the parties will be regarded as validly married under the law of the country in which each party is domiciled. Thirdly, it extends to Scotland and Northern Ireland provision for the issue of certified copies of marriage entries kept under section 9 of the Foreign Marriage Act 1892 (that is, marriages solemnised before the marriage officer in accordance with section 8 of the Act). It also provides for the payment of a fee and for the evidential value of such certified extracts.

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