
STATUTORY INSTRUMENTS

2011 No. 1172

**REGISTRATION OF BIRTHS, DEATHS,
MARRIAGES ETC, ENGLAND AND WALES**

The Registration of Marriages (Amendment) Regulations 2011

Made - - - - 26th April 2011

Coming into force in accordance with regulation 1(2)

The Registrar General⁽¹⁾, in exercise of the powers conferred by sections 27(1), 74(1)(b) and 78(1) of the Marriage Act 1949⁽²⁾ as extended by section 26(3) of the Welsh Language Act 1993⁽³⁾, with the approval of the Secretary of State⁽⁴⁾ makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Registration of Marriages (Amendment) Regulations 2011.

(2) These Regulations shall come into force on the day on which the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (Remedial) Order 2011⁽⁵⁾ comes into force.

Amendment to the Registration of Marriages Regulations 1986

2.—(1) The Registration of Marriages Regulations 1986⁽⁶⁾ are amended as follows.

(2) In Schedule 1 (prescribed forms) —

- (a) for Form 1B (notice of marriage given by a party who is subject to immigration control and where both parties are aged eighteen or over) substitute Form 1B in Schedule 1 to these Regulations.

(1) The Registrar General may make Regulations prescribing anything which by the Marriage Act 1949 is required to be prescribed. (Prescribed is defined in section 78 of the Act).

(2) 1949 c.76.

(3) 1993 c.38.

(4) The Registrar General with the approval of the Secretary of State may make regulations prescribing anything which by the Marriage Act is required to be prescribed. The function of approving regulations was transferred to the Secretary of State for the Home Department by article 3(1) of and paragraph 5(e) of Schedule 1 to the Transfer of Functions (Registration) Order 2008 (S.I. 2008/678).

(5) S.I. 2011/1158.

(6) S.I. 1986/1442 amended by S.I. 2005/155; there are other amending instruments but none is relevant.

- (b) for Form 1C (notice of marriage given by a party who is subject to immigration control and where either party is, or both parties are, under eighteen) substitute Form 1C in Schedule 1 to these Regulations.

Amendment to the Registration of Marriages (Welsh Language) Regulations 1999

3.—(1) The Registration of Marriages (Welsh Language) Regulations 1999(7) are amended as follows.

(2) In Schedule 1 (Prescribed forms) —

- (a) for Form 1B in Schedule 1 substitute Form 1B in Schedule 2 to these Regulations; and
- (b) for Form 1C in Schedule 1 substitute Form 1C in Schedule 2 to these Regulations.

Made by

26th April 2011

Sarah Rapson
Registrar General

I approve,

Home Office
25th April 2011

Damian Green
Minister of State

Notice of Marriage PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Name and surname (1)	Date of birth (2)	Sex (3)	Condition (4)	Occupation (5)	Period of Residence (6)	Church or other building, or residence, in which the marriage is to be solemnized (7)	Nationality and district of residence (8)

To the Superintendent Registrar of the district of (which is a district specified for the purpose of section 19 (2) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004).

I, the above-named (name and surname) of (place of residence) give you notice that I and (name and surname) of (place of residence) intend to be married on the authority of certificates within *one month/three months/twelve months from the date of entry of this notice and I declare as follows:

- I believe that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.
- I and the other person named above have for the period of seven days immediately before the giving of this notice had our usual places of residence within the districts named in Column 8 above.
- In respect of myself, I am eighteen years of age or over.
- In respect of the said (name and surname) *he/she is eighteen years of age or over.
- I further declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911.
- I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be invalid or void and the contracting of the marriage may render one or both of the parties GUILTY OF A CRIME AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER CRIME AS MAY HAVE BEEN COMMITTED.

Signed Date

In the presence of Signature of registration officer Official designation
Registration district of
Place of residence

* Delete whichever does not apply

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

Regulation 2(2)(b)

Marriage Act 1949, s.27(1)

Form 1C
Notice of Marriage
PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Name and surname (1)	Date of birth (2)	Sex (3)	Condition (4)	Occupation (5)	Period of residence (6)	Church or other building, or residence, in which the marriage is to be solemnized (7)	Nationality and district of residence (8)

To the Superintendent Registrar of the district of
 (which is a district specified for the purpose of section 19 (2) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004).
 I, the above-named (name and surname)
 of (place of residence)
 give you notice that I and (name and surname)
 of (place of residence)
 intend to be married on the authority of certificates within "three months/twelve months from the date of entry of this notice and I declare as follows:

- I believe that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.
- I and the other person named above have for the period of seven days immediately before giving this notice had our usual places of residence within the districts named in Column 8 above.
- In respect of myself, I am
 either "A. eighteen years of age or over,
 or
 "B. under the age of eighteen years and-
 (i) I will reach the age of eighteen years on (date).
 or
 (ii) I am a "widower/widow.
 or
 (iii) the consent of (name(s)) whose consent is required by law has been obtained;
 and/or
 the necessity of obtaining the consent of (name(s)) has been dispensed with as provided by law;
 and/or
 the (name of Court) Court has consented to the marriage.
 or
 (iv) there is no person whose consent to the marriage is required by law.
- In respect of the said
 either "A. "he/she is eighteen years of age or over,
 or
 "B. "he/she is under the age of eighteen years and-
 (i) "he/she will reach the age of eighteen years on (date).
 or
 (ii) "he/she is a "widower/widow.
 or
 (iii) the consent of (name(s)) whose consent is required by law has been obtained;
 and/or
 the necessity of obtaining the consent of (name(s)) has been dispensed with as provided by law;
 and/or
 the (name of Court) Court has consented to the marriage.
 or
 (iv) there is no person whose consent to the marriage is required by law.
- I further declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911.
- I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be invalid or void and the contracting of the marriage may render one or both of the parties GUILTY OF A CRIME AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER CRIME AS MAY HAVE BEEN COMMITTED.

Signed Date
 In the presence of Signature of registration officer
 Official designation
 Registration district of
 Place of residence

*Delete whichever does not apply

SCHEDULE 2

Regulation 3(2)(a)

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

Marriage Act 1949, s.27(1)

Form 1B

Notice of Marriage

PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Name and surname Enw a chyfenw	Date of birth Dyddiad geni	Sex Rhyw	Condition Cyflwr	Occupation Gwaith	Period of residence Cyfnod preswyllo	NATIONALITY AND DISTRICT OF RESIDENCE Cenedligrwydd a dolebarth y breswyllo
(1)	(2)	(3)	(4)	(5)	(6)	(7)
						(8)

Hysbysiad Priodas

MANYLION YNGLYN ÂR PERSONAU A BRIODIR

Period of residence Cyfnod preswyllo	Occupation Gwaith	Period of residence Cyfnod preswyllo	NATIONALITY AND DISTRICT OF RESIDENCE Cenedligrwydd a dolebarth y breswyllo
(6)	(5)	(6)	(7)
			(8)

To the Superintendent Registrar of the district of
(which is a district specified for the purpose of section 19(2) of the Act of 1949 and Immigration (Treatment of Claimants, etc.) Act 2004)

I, the above-named (name and surname)
of (place of residence)
give you notice that I and (name and surname)
of (place of residence)
intend to be married on the authority of certificates within one month/three months/twelve months from the date of entry of this notice and I declare as follows:

At Gofrestrwyd Arlyydogol Dosbarth.....
(lywodraeth a roddir ar gyfer y gwmpas o adran 19(2) o'r Ddeddf Noddau a Mewnfydd (Dull o ddiin Hawkwy, aryl) 2004)

Yr wyf fi a enw'r uchod..... (enw a chyfenw)
o..... (preswyllo)
yn echi hysbysu fy mod i a..... (enw a chyfenw)
o..... (preswyllo)
yn bwriadu priodi trwy awdurdod tystigrifau o fewn "mis/tri mis/deuddeg mis o ddyddiad cofnodir hysbysiad hwn a gwraif y datganiadau canlynol.

- I believe that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.
- I and the other person named above have for the period of seven days immediately before the giving of this notice had our usual places of residence within the districts named in Column 8 above.
- In respect of myself, I am eighteen years of age or over.
- In respect of the said (name and surname)
"he/she is eighteen years of age or over.
- I further declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true. I understand that if any of the declarations are false I MAY BE LIABLE TO PROSECUTION UNDER THE PERJURY ACT 1911.
- I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be invalid or void and the contracting of the marriage may render one or both of the parties GUILTY OF A CRIME AND LIABLE TO THE PENALTIES OF BIGAMY OR SUCH OTHER CRIME AS MAY HAVE BEEN COMMITTED.

- Credaf nad oes rhwystr o ran ach nac unilad nac unrhyw dramgwydd cyfreithiol arall i'r briodas y cyfeirir ati uchod.
- I'm preswyllo arferol i a phreswyllo arferol y person arall a enwyd uchod fod am gyfnod o saith niwmod yn unio cyn rhoi'r hysbysiad hwn fod o fewn y dolebarthau a enwyd yng Ngholofn 8 uchod.
- Ynglŷn â mi fy hun, yr wyf yn ddeunaw oed neu'n hŷn na hynny.
- Ynglŷn â..... (enw a chyfenw)
mae "ef/i" yn ddeunaw oed neu'n hŷn na hynny.
- Datganaf ymhellach hysbysiad hysbysiad fy nghyfeirir ati m'creid fod y datganiadau a wnaed gennyf uchod ynghyd â'r manylion ynglŷn â'r personau sydd i'w priodi yn wir. Deallaf os oes unrhyw rai o'r datganiadau yn fflwg GALLAF FOD YN AGORED I ERLYNIAD O DAN DDEDDF ANUDON 1911.
- Deallaf hefyd os oes, mewn gwirionedd, rwystr o ran ach neu unilad neu unrhyw rwystr cyfreithion arall i'r briodas a'r hysbysiad hwn y briodas bod yn annilys neu'n ddiinym a gall contracto'r briodas wneud un neu'r ddau o'r partion YN EUOG O DROSEDD AC YN AGORED I GOSBAU DWYREIGIAETH NEU GOSBAU UNRHYWY DROSEDD ARALL Y GELLID BOD WEDI EI CHYFLAWNI.

Signed
Llofnodwyd.....

In the presence of
Yng nghyda.....

Signature of registration officer
Llofnod y swyddog cofrestru

Date
Dyddiad.....

Official designation
Dynodiad swyddogol.....

Registration district of
Dosbarth cofrestru.....

Place of residence
Preswyllo.....

Delete whichever does not apply/Dilewch yr un amherffwrdd

Regulation 3(2)(b)

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

Notice of Marriage

PARTICULARS RELATING TO THE PERSONS TO BE MARRIED

Table with 5 columns: Name and surname, Date of birth, Sex, Condition, Occupation. Includes a sub-section for 'MANYLION YNGŴYN A'R PERSONAU A BBIODIR'.

To the Superintendent Registrar of the district of... I, the above-named... give you notice that I and... intend to be married on the authority of certificates within three months...

1. I believe that there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

2. I and the other person named above have for the period of seven days immediately before the giving of this notice had our usual places of residence within the districts named in Column B above.

3. In respect of myself, I am either (a) eighteen years of age or over... or (b) I am a widow/widower... whose consent is required by law has been obtained...

4. In respect of the said... either (a) he/she is eighteen years of age or over... or (b) he/she is a widow/widower... whose consent is required by law has been obtained...

5. I further declare that to the best of my knowledge and belief the declarations which I have made above and the particulars relating to the persons to be married are true.

6. I also understand that if, in fact, there is an impediment of kindred or alliance or other lawful hindrance to the intended marriage the marriage may be null and void and that I shall be liable to be convicted of an offence under section 27(1) of the Marriage Act 1949.

Signed... In the presence of 'Yng nglywyd'... 'Delete whichever does not apply'.

Date, Dyddiad, Official designation, Dynodiad swyddogol, Registration district, Disbarth cofrestru, Place of residence, Prwydyf.

Signature of registration officer, Llofnod y swyddog cofrestru.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Registration of Marriages Regulations 1986 and the Registration of Marriages (Welsh Language) Regulations 1999 to reflect the amendments made to the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 by the Remedial Order under section 10(2) of the Human Rights Act 1998 following judgement in the case of “Baiai and others v Secretary of State for the Home Department [2006] EWHC 823 QB”. The amendments in these Regulations remove the declaration on the forms for giving notice of marriage which require a person subject to immigration control to provide evidence of eligibility.