

SCHEDULE 1

Consequential and related amendments

PART 2

Other primary legislation

Amendment of the Marriage (Scotland) Act 1956

53.—(1) Section 1 of the Marriage (Scotland) Act 1956 (notice of marriage to be solemnized in Scotland)(1) is amended as follows.

(2) In subsection (3), for the words from “and the provisions” to the end substitute—
“but sections 3, 29 to 31A and 33 of that Act are to apply as if—

- (a) references in those sections to a marriage schedule, except the reference in subsection (1) of section 29 of that Act and the first reference in each of subsections (2) and (4) of that section, were references to an approved certificate,
- (b) the first reference to a marriage schedule in section 29(2) of that Act were a reference to an approved certificate in respect of a person named in the caveat,
- (c) the reference to the relevant superintendent registrar in section 29(2) of that Act were a reference to the superintendent registrar to whom notice is given under this section,
- (d) subsection (2A) of section 29 of that Act were omitted,
- (e) in section 30(1) of that Act, for the words from “is required” to “marriage”, where it first occurs, there were substituted “would be required under section 3 in respect of a marriage if that marriage were”,
- (f) the reference in section 31(2) of that Act to the superintendent registrar for the registration district in which a marriage is to be solemnized were a reference to the superintendent registrar to whom notice is given under this section,
- (g) in section 31 of that Act, subsections (3)(b) and (c), (3A), (4) and (5) were omitted,
- (h) the reference in section 31(3)(a) of that Act to each notice of marriage were a reference to the notice given under this section,
- (i) the reference in section 33(2)(a) of that Act to notices of marriage were a reference to the notice given under this section, and
- (j) in section 33 of that Act, subsections (3)(a) and (4) were omitted.”.

(3) After subsection (3) insert—

“(3A) In subsection (3)(a) and (b) “approved certificate” means a certificate for marriage, for the purposes of section 3(4) of the Marriage (Scotland) Act 1977, in the prescribed form.

(3B) In subsection (3A) “prescribed” means prescribed by regulations made under section 74 of the Marriage Act 1949; and the reference, in subsection (1)(b) of that section, to that Act is to be treated as including a reference to this Act.”.

(1) 1956 c. 70. Section 1 was amended by Part I of Schedule 4 to the Children Act 1975 (c. 72) and paragraph 5 of Schedule 2 and Schedule 3 to the Marriage (Scotland) Act 1977.