



# Marriage and Civil Partnership (Scotland) Act 2014

2014 asp 5

## PART 1

### MARRIAGE

#### CHAPTER 3

##### SOLEMNISATION OF MARRIAGE

#### 14 Temporary authorisation of celebrants

- (1) The 1977 Act is amended as follows.
- (2) In section 12 (temporary authorisation of celebrants)—
  - (a) in subsection (1), for “person” substitute “member of a religious or belief body”, and
  - (b) after subsection (1) insert—
    - “(1A) The Registrar General may grant an authorisation to a person under subsection (1) only if satisfied that the religious or belief body of which the person is a member meets the qualifying requirements.
    - (1B) An authorisation under subsection (1)(b) may be granted in relation to—
      - (a) only marriages between persons of different sexes;
      - (b) only marriages between persons of the same sex; or
      - (c) both.
    - (1C) The Registrar General may grant an authorisation to a person under subsection (1)(b) to solemnise marriages between persons of the same sex only if the religious or belief body of which the person is a member—
      - (a) is prescribed by virtue of section 8(1B)(a)(i); or

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*Status: This is the original version (as it was originally enacted).*

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- (b) has nominated members (whether or not including that person) under section 9(1A) to solemnise marriages between persons of the same sex.
- (1D) In subsection (1A), the “qualifying requirements” are such requirements as may be set out in regulations made by the Scottish Ministers.
- (1E) Regulations under subsection (1D)—
  - (a) may make different provision for different cases or circumstances;
  - (b) may include transitional and saving provision.
- (1F) Regulations under subsection (1D) are subject to the negative procedure.”.
- (3) In section 24 (offences), in subsection (2)(c), for the words from “12(a)” to the end substitute “12 of this Act—
  - (i) if authorised under subsection (1)(a) of that section, solemnises a marriage not specified in the authorisation;
  - (ii) if authorised under subsection (1)(b) of that section, solemnises a marriage outwith the period specified in the authorisation;
  - (iii) in either case, solemnises a marriage otherwise than in accordance with such terms and conditions as may be specified in the authorisation;”.