
STATUTORY INSTRUMENTS

2003 No. 413

The Marriage (Northern Ireland) Order 2003

Preliminaries to marriage

Notice of intention to marry

3.—(1) Each of the parties to a marriage intended to be solemnised in Northern Ireland shall give the registrar a notice of intention to marry.

(2) In this Order—

“marriage notice” means notice of intention to marry;

“registrar” means the registrar for the district in which the marriage is to take place.

(3) A marriage notice shall be—

(a) in the prescribed form; and

(b) accompanied by the prescribed fee and such documents and other information as may be prescribed.

(4) In prescribed cases a marriage notice shall be given by each party—

(a) in person;

(b) to either the registrar referred to in paragraph (2) or such other registrar as may be prescribed.

[^{F1}Additional information if party not relevant national

3A.—(1) This Article applies to a marriage notice given to a registrar in accordance with Article 3 if one, or each, of the parties to the proposed marriage is not a relevant national.

(2) For each party to the proposed marriage who is not a relevant national, the notice shall be accompanied by whichever of statements A, B or C is applicable to that person.

(3) Statement A is a statement that the person has the appropriate immigration status.

(4) Statement B is a statement that the person holds a relevant visa in respect of the proposed marriage.

(5) Statement C is a statement that the person neither—

(a) has the appropriate immigration status, nor

(b) holds a relevant visa in respect of the proposed marriage.

(6) If the notice is accompanied by the statement referred to in the first column of an entry in this table, the notice shall also be accompanied by the information and photographs referred to in the second column of that entry (insofar as that entry is applicable to the parties to the proposed marriage)—

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<i>If the notice is accompanied by this statement....</i>	<i>...the notice shall also be accompanied by....</i>
Statement A (in respect of one or both of the parties to the proposed marriage)	For each party in respect of whom statement A is made, details of the particular immigration status which that party has
Statement B (in respect of one or both of the parties to the proposed marriage)	<ol style="list-style-type: none"> 1. For each party, a specified photograph of that party 2. For each party in respect of whom statement B is made, details of the relevant visa which that party has
Statement C (in respect of one or both of the parties to the proposed marriage)	<ol style="list-style-type: none"> 1. For each party, a specified photograph of that party 2. For each party, the usual address of that party 3. For each party who has previously used any name or names other than the person's name stated in the marriage notice, a statement of the other name or names 4. For each party who currently uses, or has previously used, an alias or aliases, a statement of the alias or aliases.

(7) If the notice is accompanied by more than one of statements A, B and C, paragraph (6) shall be complied with in relation to each of those statements; but where the notice is accompanied by statements B and C, paragraph (6) does not require the notice to be accompanied by more than one specified photograph of each party.

(8) If the notice is accompanied by statement C for a party to the proposed marriage—

- (a) the notice may also be accompanied by a statement (“statement D”) of that person's immigration position in the United Kingdom;
- (b) if the notice is accompanied by statement D for a party to the proposed marriage, the person may provide the registrar with details of his immigration position in the United Kingdom; and
- (c) if any such details are provided, the registrar shall record them.

(9) In this Article and Article 3B—

- (a) a reference—
 - (i) to a person having the appropriate immigration status, or
 - (ii) to a person holding a relevant visa,

is to be construed in accordance with section 49 of the 2014 Act;

- (b) a reference to the particular immigration status which a person has is a reference to the immigration status set out in any of paragraphs (a) to (c) of section 49(2) of that Act which the person has;
- (c) a reference to a person's immigration position in the United Kingdom includes a reference to the person's not being entitled to be in the United Kingdom.

(10) In this Article “specified photograph” means a photograph that is in accordance with regulations made by the Secretary of State under section 54(2) of, and paragraph 3 of Schedule 5 to, the 2014 Act (and for this purpose “photograph” includes other kinds of images).

F1 Arts. 3A-3E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 1 para. 3** (with art. 1(3))

Modifications etc. (not altering text)

C1 [Art. 3A\(9\)](#) applied (2.3.2015) by [The Sham Marriage and Civil Partnership \(Scotland and Northern Ireland\) \(Administrative\) Regulations 2015 \(S.I. 2015/404\)](#), regs. 1(2), **18(4)(a)**

Additional evidence if party not relevant national

3B.—(1) If a marriage notice to which Article 3A(1) applies (“the notice”) is accompanied by statement A (referred to in Article 3A(3)), and accordingly is also accompanied by details of the particular immigration status which a party to the proposed marriage has, the notice shall also be accompanied by specified evidence of that status.

(2) If the notice is accompanied by statement B (referred to in Article 3A(4)), the notice shall also be accompanied by specified evidence of the holding of the relevant visa by the party to the proposed marriage.

(3) If, in accordance with Article 3A(6), the notice is accompanied by the usual address of a party to the proposed marriage, the notice shall also be accompanied by specified evidence that it is that party’s usual address.

(4) If the notice is accompanied by statement D (referred to in Article 3A(8)), the notice may also be accompanied by evidence of the person’s immigration position in the United Kingdom.

(5) If paragraph (1) or (2) applies to the notice, and the notice is not accompanied by the specified evidence required by that paragraph, the notice shall be accompanied by—

- (a) photographs and addresses of the kinds referred to in paragraphs 1 and 2 in the relevant entry in Article 3A(6);
- (b) as respects the usual address of each party that is provided in accordance with subparagraph (a), specified evidence that the address provided is that party’s usual address; and
- (c) names and aliases of the kinds referred to in paragraphs 3 and 4 in the relevant entry in Article 3A(6) (insofar as those paragraphs are applicable to the parties to the proposed marriage).

(6) In this Article—

“relevant entry in Article 3A(6)” means the second column of the last entry in the table in Article 3A(6);

“specified evidence” means evidence that is in accordance with regulations made by the Secretary of State under section 54(2) of, and paragraph 3 of Schedule 5 to, the 2014 Act.

F1 Arts. 3A-3E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 1 para. 3** (with art. 1(3))

Declaration to accompany information and evidence

3C. Where information and evidence accompany the marriage notice in accordance with Articles 3A and 3B that information and evidence shall also be accompanied by a declaration in writing and signed by the party who makes it that the party believes all of the information and evidence accompanying the notice to be true.

F1 Arts. 3A-3E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), [Sch. 1 para. 3](#) (with art. 1(3))

Rejection of false information or evidence

3D.—(1) A registrar may reject—

- (a) any information or photograph provided under Article 3A or 3B,
- (b) any evidence provided under Article 3B, or
- (c) any evidence relating to a party's nationality provided in accordance with Article 5,

if (in particular) the registrar has reasonable grounds for suspecting that the information, photograph or evidence is false.

(2) If the registrar rejects any information, photograph or evidence, the registrar may proceed under this Order as if the rejected information, photograph or evidence had not been provided.

(3) This Article does not limit the powers of registrars to reject anything provided under any other statutory provision.

F1 Arts. 3A-3E inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), [Sch. 1 para. 3](#) (with art. 1(3))

Referral of proposed marriage to Secretary of State

3E.—(1) On every occasion when a marriage notice is given under Article 3(1), a registrar shall decide whether or not each of the parties to the proposed marriage is an exempt person.

(2) In making a decision under paragraph (1) about a party to a proposed marriage, a registrar may rely on any advice given in relation to that decision by the Secretary of State.

(3) In a case where—

- (a) Article 3A applies to the marriage notice, and
- (b) specified evidence required by Article 3B(1) or (2) in relation to a party to the proposed marriage is not produced in accordance with that Article,

the registrar shall decide that that party to the proposed marriage is not an exempt person.

(4) If the registrar decides that either of the parties is not an exempt person, or that both of the parties are not exempt persons, the registrar shall—

- (a) refer the proposed marriage to the Secretary of State;
- (b) notify the parties to the proposed marriage that the proposed marriage must be referred to the Secretary of State;
- (c) give the parties to the proposed marriage prescribed information about—
 - (i) the effects of the referral;

(ii) the requirement under regulations to notify the Secretary of State of changes of address.

(5) The registrar shall act in accordance with regulations when complying with the duty in paragraph (4)(a) to refer a proposed marriage to the Secretary of State.

(6) If the registrar refers the proposed marriage to the Secretary of State, this Order has effect in relation to the proposed marriage subject to the modifications in Schedule 2.

(7) In this Article—

- (a) a reference to a person being an exempt person has the same meaning as in section 49 of the 2014 Act;
- (b) “prescribed information” means information prescribed in regulations;
- (c) “regulations” means regulations made by the Secretary of State under section 54(2) of, and Schedule 5 to, the 2014 Act.]

<p>F1 Arts. 3A-3E inserted (1.3.2015) by The Referral and Investigation of Proposed Marriages and Civil Partnerships (Northern Ireland and Miscellaneous Provisions) Order 2015 (S.I. 2015/395), art. 1(2), Sch. 1 para. 3 (with art. 1(3))</p>
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Marriage notice book and list of intended marriages

4.—(1) The registrar shall keep a record of—

- (a) such particulars as may be prescribed, taken from each marriage notice received by him; and
- (b) the date on which each marriage notice is received by him.

(2) In this Order “marriage notice book” means the record kept under paragraph (1).

[^{F2}(2A) But the registrar shall not enter the particulars relating to a marriage in the marriage notice book in a case where any of the following requirements is applicable but not complied with—

- (a) a requirement imposed by or under any of the following provisions of this Order—
 - (i) Article 3A(2) to (7);
 - (ii) Article 3B(3);
 - (iii) Article 3B(5);
 - (iv) Article 5 so far as that requirement relates to nationality;
- (b) the requirement imposed by section 23(2) of the Asylum and Immigration (Treatment of Claimants, etc.) Act 2004.

(2B) Where the registrar may not enter the particulars relating to a marriage in the marriage notice book as mentioned in paragraph (2A) the parties are to be taken not to have given notice under Article 3(1).]

(3) The registrar shall, in accordance with any guidance issued by the Registrar General, place on public display a list containing in relation to each intended marriage in respect of which the registrar has received a marriage notice—

- (a) the names of the parties, and
- (b) the date of the intended marriage.

(4) As soon as practicable after the date of an intended marriage the registrar shall remove from the list the names and the date relating to it.

(5) Any person claiming that he may have reason to make an objection to an intended marriage may inspect any entry relating to the marriage in the marriage notice book without charge.

F2 [Art. 4\(2A\)\(2B\)](#) inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), [Sch. 1 para. 5\(1\)](#) (with art. 1(3))

Power to require evidence

5.—(1) A registrar to whom a marriage notice is given may require the person giving the notice to provide him with specified evidence relating to each of the persons to be married.

(2) Such a requirement may be imposed at any time on or after the giving of the marriage notice but before the registrar issues the marriage schedule under Article 7.

(3) In paragraph (1) “specified evidence”, in relation to a person, means such evidence of that person's—

- (a) name and surname;
- (b) age;
- (c) marital^[F3] and civil partnership] status; and
- (d) nationality,

as may be specified in guidance issued by the Registrar General.

^{[F3(4)} In paragraph (3)(c), “marital and civil partnership status”, in relation to a person, means whether that person has previously formed a marriage or a civil partnership, and if so, whether that marriage or civil partnership has ended.]

F3 [2004 c. 33](#)

Objections

6.—(1) Any person may at any time before the solemnisation of a marriage in Northern Ireland make an objection in writing to the registrar.

(2) If the registrar is satisfied that the objection relates to no more than a misdescription or inaccuracy in the marriage notice, he shall—

- (a) notify the parties to the intended marriage;
- (b) make such inquiries as he thinks fit; and
- (c) subject to the approval of the Registrar General, make any necessary correction to any document relating to the marriage.

(3) In any other case the registrar shall—

- (a) notify the Registrar General of the objection;
- (b) pending consideration of the objection by the Registrar General, suspend the issue of the marriage schedule (if it has not been issued);
- (c) in the case of a religious marriage, if the marriage schedule has already been issued and it is practicable to do so—
 - (i) notify the officiant of the objection, and
 - (ii) advise the officiant not to solemnise the marriage pending consideration of the objection by the Registrar General.

(4) If the Registrar General is satisfied that there is a legal impediment to the marriage, he shall direct the registrar to—

- (a) notify the parties; and
- (b) take all reasonable steps to ensure that the marriage does not take place.

(5) If paragraph (4) does not apply, the Registrar General shall direct the registrar to proceed under Article 7.

(6) For the purposes of this Article and Article 7 there is a legal impediment to a marriage if—

- (a) that marriage would be void by virtue of Article 18 of the Family Law (Miscellaneous Provisions) (Northern Ireland) Order 1984 (NI 14) (prohibited degrees of relationship);
- (b) one of the parties is, or both are, already married^{F4} or a civil partner^{F5};
- (c) one or both of the parties will be under the age of 16 on the date of solemnisation of the intended marriage; ^{F5}or]
- (d) one or both of the parties is or are incapable of understanding the nature of a marriage ceremony or of consenting to marriage; ^{F6}...

^{F6}(e)

(7) An objection on the ground mentioned in paragraph (6)(d) shall be accompanied by a supporting certificate signed by a medical practitioner.

(8) A person who has submitted an objection may withdraw it at any time, but the Registrar General may have regard to an objection which has been withdrawn.

F4	2004 c. 33
F5	Word in art. 6(6) inserted (13.1.2020) by The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514) , regs. 1(2), 3(1)(b) (with regs. 6-9)
F6	Art. 6(6)(e) and word omitted (13.1.2020) by virtue of The Marriage (Same-sex Couples) and Civil Partnership (Opposite-sex Couples) (Northern Ireland) Regulations 2019 (S.I. 2019/1514) , regs. 1(2), 3(1)(a) (with regs. 6-9)

Marriage schedule

7.—(1) After the registrar receives a marriage notice from both of the parties to an intended marriage, he shall complete a marriage schedule in the prescribed form if he is satisfied that there is no legal impediment to the marriage or the Registrar General has directed him under Article 6(5) to proceed under this Article.

(2) In the case of a religious marriage, the marriage schedule completed in accordance with paragraph (1) shall be issued by the registrar—

- (a) at his office;
- (b) during such period as may be prescribed; and
- (c) to one or both of the parties to the intended marriage.

(3) Subject to paragraphs (4) to ^{F7}(7) , a religious marriage may be solemnised only on the date, by the officiant and at the place specified in the marriage schedule.

(4) Paragraph (3) shall not impose any obligation on an officiant to solemnise a marriage.

(5) In prescribed circumstances a religious marriage may be solemnised by an officiant other than the officiant specified in the marriage schedule.

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(6) Regulations may make provision for any case in which for any reason a marriage cannot be solemnised in accordance with the marriage schedule.

[^{F8}(7) Paragraph (3), and regulations under paragraph (5) or (6), have effect subject to Article 15(3) to (5).]

- F7** Word in art. 7(3) substituted (1.9.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) Regulations 2020 \(S.I. 2020/742\)](#), regs. 1(2), **9(3)(a)**
- F8** Art. 7(7) inserted (1.9.2020) by [The Marriage and Civil Partnership \(Northern Ireland\) Regulations 2020 \(S.I. 2020/742\)](#), regs. 1(2), **9(3)(b)**

[^{F9}Marriage notice: false information or evidence

7A.—(1) A registrar may refuse to complete a marriage schedule under Article 7 (or where one has already been completed, may cancel it) in a case where—

- (a) a marriage notice has been given under Article 3(1), and
- (b) the registrar has reasonable grounds for suspecting that a relevant decision was made incorrectly because of the provision of false information or evidence in or accompanying that notice.

(2) If the registrar refuses to complete (or cancels) a marriage schedule under paragraph (1), the parties to the proposed marriage are to be taken not to have given notice under Article 3(1); but that does not prevent criminal proceedings from being brought against either party, or any other person, in relation to the giving of notice.

(3) This Article does not limit any other power of the registrar to refuse to complete (or, as the case may be, cancel) a marriage schedule.

(4) In the case of a religious marriage, if the marriage schedule has already been issued, and it is practicable to do so, the registrar shall—

- (a) notify the officiant that the marriage schedule has been cancelled, and
- (b) advise the officiant not to solemnise the marriage.

(5) In this Article—

“evidence” includes a photograph or other image;

“exempt person” has the same meaning as in Article 3E;

“relevant decision” means a decision of a registrar that a party to the proposed marriage is an exempt person.]

- F9** Art. 7A inserted (1.3.2015) by [The Referral and Investigation of Proposed Marriages and Civil Partnerships \(Northern Ireland and Miscellaneous Provisions\) Order 2015 \(S.I. 2015/395\)](#), art. 1(2), **Sch. 1 para. 6(1)** (with art. 1(3))

Marriage outside the United Kingdom where party resides in Northern Ireland

8.—(1) Where a person residing in Northern Ireland—

- (a) is a party to a marriage intended to be solemnised in any country or territory outside the United Kingdom; and
- (b) for the purpose of complying with the law in force in that country or territory, is required to obtain a certificate in respect of his legal capacity to marry from a competent authority in Northern Ireland,

he may give the registrar a marriage notice and Article 3(3) and (4) and Articles 4 and 5 shall apply accordingly as if it were intended that the marriage should be solemnised in the district in which he resides.

(2) In this Article “registrar” means the registrar for the district in which the person resides.

(3) If the registrar is satisfied that the person is not subject to any legal incapacity under the law of Northern Ireland which would prevent his marrying, the registrar shall issue to him a certificate in the prescribed form that he is not known to be subject to any such incapacity.

(4) The registrar shall not issue a certificate before the expiration of such period from the date recorded under Article 4(1)(b) (date of receipt of marriage notice) as may be prescribed.

(5) Any person may, at any time before the issue of a certificate under paragraph (3), make an objection in writing to the registrar.

(6) The registrar shall take into account any objection under paragraph (5) in deciding whether to issue a certificate under paragraph (3).

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Order modified by [S.I. 2020/1143 reg. 15\(1\)](#)