



Marriage (Scotland) Act 1977

1977 CHAPTER 15

Religious Marriages

10 Removal of celebrant's name from register

- (1) Subject to the provisions of this section, the Registrar General may remove the name of a person registered under section 9 of this Act from the register on the ground that—
 - (a) that person has requested that his name should be so removed; or
 - (b) the body which nominated that person under section 9(1) of this Act no longer desires that he should be so registered; or
 - (c) the marriage ceremony used by the said body is no longer of an appropriate form within the meaning of section 9(3) of this Act; or
 - (d) that person—
 - (i) has, while registered as an approved celebrant, been convicted of an offence under this Act; or
 - (ii) has, for the purpose of profit or gain, been carrying on a business of solemnising marriages; or
 - (iii) is not a fit and proper person to solemnise marriages; or
 - (iv) for any other reason, should not be so registered.
- (2) The Registrar General shall not remove the name of a person from the register on any ground mentioned in subsection (1)(d) above unless he has given to that person at least 21 days notice in writing of his intention to do so.
- (3) The Registrar General shall—
 - (a) in the notice given under subsection (2) above, specify the ground of removal and call upon the said person to show cause, within the period specified in the notice, why his name should not be removed from the register; and
 - (b) consider any representations made to him within the said period by that person.
- (4) Where a person's name has been removed from the register on any of the grounds mentioned in paragraphs (c) and (d) of subsection (1) above, that person or the body which nominated him under section 9(1) of this Act may, if aggrieved by the removal,

Status: This is the original version (as it was originally enacted).

within 28 days of receiving notice of the removal appeal to the Secretary of State, and on any such appeal the Secretary of State may give such direction as he thinks proper to the Registrar General as to the removal from, or restoration to, the register of that name; and such direction shall be final.

- (5) Where a person has received a notice in pursuance of subsection (2) above, he shall not solemnise a marriage unless and until his name is restored to the register or, as the case may be, the Registrar General has decided not to remove his name from the register.