

Status: Point in time view as at 03/06/2014.

Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, PART 1. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MARRIAGE OVERSEAS

PART 1

CONSULAR MARRIAGE UNDER UK LAW

Provision for consular marriage

- 1 (1) Her Majesty may by Order in Council make provision for two people to marry each other—
- (a) in prescribed countries or territories outside the United Kingdom, and
 - (b) in the presence of a registration officer,
- in cases where the officer is satisfied that the conditions in sub-paragraph (2) are met.
- (2) The conditions are that—
- (a) at least one of the people proposing to marry is a United Kingdom national,
 - (b) the people proposing to marry would have been eligible to marry each other in such part of the United Kingdom as is determined in accordance with the Order,
 - (c) the authorities of the country or territory in which it is proposed that they marry will not object to the marriage, and
 - (d) insufficient facilities exist for them to enter into a marriage under the law of that country or territory.

Commencement Information

- I1** Sch. 6 para. 1 in force at 21.1.2014 for specified purposes by S.I. 2014/93, art. 2(b)(i)
I2 Sch. 6 para. 1 in force at 3.6.2014 in so far as not already in force by S.I. 2014/93, art. 5(c)

Refusal by registration officer

- 2 (1) A registration officer is not required to allow two people to marry each other if the registration officer's opinion is that a marriage between them would be inconsistent with international law or the comity of nations.
- (2) An Order in Council under this Part of this Schedule may make provision for appeals against a refusal, in reliance on sub-paragraph (1), to allow two people to marry each other.

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Commencement Information

- I3** Sch. 6 para. 2 in force at 21.1.2014 for specified purposes by S.I. 2014/93, art. 2(b)(i)
I4 Sch. 6 para. 2 in force at 3.6.2014 in so far as not already in force by S.I. 2014/93, art. 5(c)

No religious service

- 3 No religious service is to be used at the solemnization of a consular marriage.

Commencement Information

- I5** Sch. 6 para. 3 in force at 3.6.2014 by S.I. 2014/93, art. 5(c)

Treatment of marriage as taking place in part of UK for certain purposes

- 4 An Order in Council under this Part of this Schedule may provide that two people who marry in a consular marriage are to be treated for prescribed purposes as if they had married in the relevant part of the United Kingdom.

Commencement Information

- I6** Sch. 6 para. 4 in force at 21.1.2014 for specified purposes by S.I. 2014/93, art. 2(b)(ii)
I7 Sch. 6 para. 4 in force at 3.6.2014 in so far as not already in force by S.I. 2014/93, art. 5(c)

Validity of consular marriage

- 5 A consular marriage is valid in law as if the marriage had been solemnized in the relevant part of the United Kingdom with a due observance of all forms required by the law of the relevant part of the United Kingdom.

Commencement Information

- I8** Sch. 6 para. 5 in force at 3.6.2014 by S.I. 2014/93, art. 5(c)

Interpretation

- 6 In this Part of this Schedule—
 “consular marriage” means a marriage solemnized in accordance with the provisions of this Part of this Schedule and any Order in Council made under it;
 “registration officer” means—
 (a) a consular officer in the service of Her Majesty's government in the United Kingdom, or
 (b) in the case of registration in a country or territory in which Her Majesty's government in the United Kingdom has for the time being no consular representative, a person authorised by the Secretary of State in respect of the solemnization of marriages in that country or territory;

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“relevant part of the United Kingdom”, in relation to a consular marriage, means the part of the United Kingdom determined in accordance with paragraph 1(2)(b) for the purposes of the marriage.

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Commencement Information

I9 Sch. 6 para. 6 in force at 21.1.2014 for specified purposes by S.I. 2014/93, art. 2(b)(iii)

I10 Sch. 6 para. 6 in force at 3.6.2014 in so far as not already in force by S.I. 2014/93, art. 5(c)

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