



Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

PART III

MARRIAGE UNDER [^{F1}MARRIAGE SCHEDULE]

[^{F1} Marriages on approved premises

Textual Amendments

F1 Ss. 46A, 46B and cross-heading inserted (24.2.1995) by 1994 c. 34, ss. 1(2), 3(2); S.I. 1995/424, art. 2(1)(a)

^{F2}46A Approval of premises.

- (1) The [^{F3}Secretary of State] may by regulations make provision for and in connection with the approval by local authorities of premises for the solemnization of marriages in pursuance of section 26(1)(bb) of this Act.
- (2) The matters dealt with by the regulations may include—
 - (a) the kinds of premises in respect of which approvals may be granted;
 - (b) the procedure to be followed in relation to applications for approval;
 - (c) the considerations to be taken into account by a local authority in determining whether to approve any premises;
 - (d) the duration and renewal of approvals;
 - (e) the conditions that must or may be imposed by a local authority on granting or renewing an approval;
 - (f) the determination and charging by local authorities of fees in respect of applications for the approval of premises and in respect of the renewal of approvals;
 - (g) the circumstances in which a local authority must or may revoke an approval;

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949, Cross Heading: Marriages on approved premises. (See end of Document for details)

- (h) the review of any decision to refuse an approval or the renewal of an approval, to impose conditions on granting or renewing an approval or to revoke an approval;
 - (i) the notification to the Registrar General of all approvals granted, renewed or revoked;
 - (j) the keeping by local authorities of registers of approved premises;
 - (k) the issue by the Registrar General of guidance supplementing the provision made by the regulations.
- (3) In this section “local authority” means a county council, metropolitan district council [^{F4}London borough council or the Common Council of the City of London].
- (4) Regulations under this section may make different provision for different cases or circumstances.
- (5) Any regulations under this section shall be made by statutory instrument, subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F2** S. 46A inserted (24.2.1995) by 1994 c. 34, s. 1(2); S.I. 1995/424, art. 2(1)(a)
- F3** Words in s. 46A(1) substituted (3.4.2008) by The Transfer of Functions (Registration) Order 2008 (S.I. 2008/678), art. 1(2), Sch. 2 para. 5(2)(a) (with art. 4)
- F4** Words in s. 46A(3) substituted (18.7.1996) by 1996 c. iv, s. 3(2) (with s. 5)

Modifications etc. (not altering text)

- C1** S. 46A: transfer of functions (1.4.1996) by S.I. 1996/273, art. 3(1), Sch. 1 para. 7
S. 46A: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, reg. 2(1), Sch. 1 para. B36
- C2** S. 46A(1): transfer of functions (3.4.2008) by The Transfer of Functions (Registration) Order 2008 (S.I. 2008/678), art. 1(2), Sch. 1 para. 5(c) (with art. 4)

^{F5}46B Solemnization of marriage on approved premises.

- (1) Any marriage on approved premises in pursuance of section 26(1)(bb) of this Act shall be solemnized in the presence of—
- (a) two witnesses, and
 - (b) the superintendent registrar and a registrar of the registration district in which the premises are situated.
- (2) Without prejudice to the width of section 46A(2)(e) of this Act, the [^{F6}Secretary of State] shall exercise his power to provide for the imposition of conditions as there mentioned so as to secure that members of the public are permitted to attend any marriage solemnized on approved premises in pursuance of section 26(1)(bb) of this Act.
- (3) Each of the persons contracting such a marriage shall make the declaration and use the form of words set out in section 44(3) [^{F7}or (3A)] of this Act in the case of marriages in registered buildings ^{F8}. . . .
- (4) No religious service shall be used at a marriage on approved premises in pursuance of section 26(1)(bb) of this Act.]

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Textual Amendments

- F5** S. 46B inserted (in force for specified purposes on 24.2.1995 and 1.4.1995 respectively) by 1994 c. 34, s. 1(2); S.I. 1995/424, art. 2(1)(a)(2)(b)
- F6** Words in s. 46B(2) substituted (3.4.2008) by The Transfer of Functions (Registration) Order 2008 (S.I. 2008/678), art. 1(2), Sch. 2 para. 5(2)(b) (with art. 4)
- F7** Words in s. 46B(3) inserted (1.2.1997) by 1996 c. 34, s. 1(2)(b); S.I. 1996/2506, art. 2
- F8** Words in s. 46B(3) omitted (1.2.1997) by virtue of 1996 c. 34, s. 1(2)(b); S.I. 1996/2506, art. 2

Changes to legislation:

There are currently no known outstanding effects for the Marriage Act 1949, Cross Heading: Marriages on approved premises.