



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART III

MARRIAGE UNDER [<sup>F1</sup>MARRIAGE SCHEDULE]

### *Miscellaneous Provisions*

#### [<sup>F1</sup>49A Void marriages: additional provision about same sex couples

- (1) If a same sex couple knowingly and wilfully intermarries under the provisions of this Part of this Act in the absence of the required consent, the marriage shall be void.
- (2) In this section, in relation to a marriage of a same sex couple, “required consent” means consent under—
  - (a) section 26A(3), in a case where section 26A applies to the marriage (but section 44A does not apply to it);
  - (b) section 26A(3) and section 44A(6), in a case where section 26A and section 44A apply to the marriage;
  - [<sup>F2</sup>(ba) section 26A(3) and under any regulations made under section 44C that require the consent to use of a building for the solemnization of marriages of same sex couples, in a case where section 26A and section 44C apply to the marriage;]
  - (c) section 26B(2)(b), in a case where section 26B(1), (2) and (3) apply to the marriage;
  - (d) section 26B(4)(b), in a case where section 26B(1), (4) and (5) apply to the marriage;
  - (e) section 26B(6)(d), in a case where section 26B(1), (6) and (7) apply to the marriage.]

#### Textual Amendments

- F1** S. 49A inserted (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\), s. 21\(3\), Sch. 7 para. 15; S.I. 2014/93, art. 3\(k\)\(i\)](#)

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*Changes to legislation: There are currently no known outstanding effects  
for the Marriage Act 1949, Section 49A. (See end of Document for details)*

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**F2** S. 49A(2)(ba) inserted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), **Sch. 1 para. 5(4)**

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There are currently no known outstanding effects for the Marriage Act 1949, Section 49A.