

SCHEDULES

SCHEDULE 5

Transitional and further saving provision

PART 1

Transitional provision in relation to common licences for marriage in England and Wales

4.—(1) Section 5(3)(b) of the 1949 Act does not apply in respect of a marriage to be solemnized between two persons who were both relevant nationals before 1st July 2021 where—

- (a) a common licence for the solemnization of the marriage was granted before 1st July 2021;
- (b) a relevant application for a common licence in respect of the marriage was received by the appropriate person, but not yet determined, by 1st July 2021, or
- (c) in a case not falling within paragraph (b), one of the persons has sworn the oaths required under [section 16\(1\)](#) of the 1949 Act before a person with authority to grant a common licence.

(2) In this paragraph—

“appropriate person” means—

- (a) a person having authority to grant a common licence, or
- (b) the office of the ecclesiastical judge out of which such a licence is to issue;

“common licence” has the same meaning as in the 1949 Act (see section 5);

“relevant application” means an application in writing (including by email) for a common licence including the evidence required by section 16(1C) of the 1949 Act.