

# MARRIAGE AND CIVIL PARTNERSHIP (SCOTLAND) ACT 2014

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## EXPLANATORY NOTES

### COMMENTARY

#### **Part 1 – Marriage**

#### *Chapter 5 – Other changes to marriage procedure*

#### *Section 21: Places at which civil marriages may be solemnised*

109. This section makes amendments, principally to section 18 of the 1977 Act, so that civil marriage ceremonies can take place anywhere, other than in religious premises, agreed by the couple and the registrar, rather than at “approved places” (places approved by the local authority). This section applies to both opposite sex and same sex marriages. The section provides definitions for “appropriate place”, “local registration authority” and “religious premises”.
110. Specifically, these amendments mean that a civil marriage ceremony can take place in either:
- the registration office of the authorised registrar; or
  - at an appropriate place in the registration district of the authorised registrar; or
  - with the approval of the Registrar General, at the registration office of another authorised registrar; or
  - with the approval of the Registrar General, at an appropriate place in the registration district of another authorised registrar; or
  - with the approval of the Registrar General, at an appropriate place in Scottish waters.
111. As a result of the above, some amendments are necessary to the 1977 Act. Section 18A (on approved places) is repealed. Section 19 (on the marriage ceremony and registration) and section 26 (on interpretation and definitions) are amended where they refer to the place where a marriage has taken place. Those amendments are made in subsections (3) to (5).