

Marriage (Naval, Military, and Air Force Chapels) Act, 1932.

[22 & 23 GEO. 5. CH. 31.]

ARRANGEMENT OF SECTIONS.

A.D. 1932.

Section.

1. Solemnization of marriages in naval, military and air force chapels.
2. Marriages according to rites of Church of England.
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Part I.—Enactments excluded.

Part II.—Enactments modified.



CHAPTER 31.

An Act to authorise the publication of banns and the solemnization of marriages in naval, military, and air force chapels. A.D. 1932.

[12th July 1932.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :—

1.—(1) The use of any chapel to which this Act applies for the publication therein of banns of marriages to which this Act applies, and for the solemnization therein, whether according to the rites of the Church of England or otherwise, of such marriages, may be authorised under and subject to the provisions of this Act. Solemnization of marriages in naval, military, and air force chapels.

(2) This Act shall apply only to chapels which are certified by the Admiralty to be naval chapels and to chapels which are certified by a Secretary of State to be military or air force chapels, and shall apply only to marriages between parties of whom one at least is a qualified person, that is to say, a person who, at the relevant date—

(a) is serving in the Royal Navy, the Royal Marines, the Regular Land Forces or the Regular Air Forces; or

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- A.D. 1932. — (b) has served in any force mentioned in the last foregoing paragraph otherwise than with a commission granted or under an engagement entered into only for the purpose of a war or other national emergency; or
- (c) is, as a member of a reserve of officers, a reserve force, the Territorial Army or the Auxiliary Air Force, called out on actual or permanent service, or embodied; or
- (d) is actually employed as a member of any naval, military or air force nursing service, in the service of any force mentioned in the foregoing paragraphs of this subsection; or
- (e) is a daughter of a person qualified under any of the foregoing paragraphs of this subsection.
- (3) For the purpose of the last foregoing subsection, the expression “the relevant date” means—
- (a) in a case where notice is given under section seven of the Marriage Act, 1823, before publication of banns, the date of the notice;
- (b) in a case where banns are published without such notice, the date of the first publication of banns;
- (c) in a case where an oath is taken under section fourteen of the Marriage Act, 1823, for the purpose of obtaining a licence for marriage, the date of taking the oath;
- (d) in any other case, the date when notice is given to the registrar under section four of the Marriage Act, 1836;
- 4 Geo. 4. c. 76. and the expression “daughter” includes a daughter adopted under the Adoption of Children Act, 1926, but does not include a step-daughter.
- 6 & 7 Will. 4. c. 85.
- 15 & 16 Geo. 5. c. 29.

(4) Nothing in this Act shall be taken to confer upon any person a right to be married in a chapel to which this Act applies.

Marriages according to rites of Church of England. 2.—(1) As respects marriages according to the rites of the Church of England, the bishop of the diocese in which any chapel to which this Act applies is situated may, on the application of the Admiralty, in the case of a naval chapel, or a Secretary of State, in the case of

any other chapel, by licence authorise the publication of banns of marriages to which this Act applies, and the solemnization of such marriages, in the chapel, and while any such licence in respect of the chapel is in force—

A.D. 1932.

- (a) any such banns or marriages which could lawfully be published or solemnized in the parish church of the parish in which the chapel is situated may be published or solemnized in the chapel ; and
- (b) the enactments relating to marriages according to the rites of the Church of England (excluding the enactments set out in Part I. of the First Schedule to this Act) shall apply in relation to the chapel, and in relation to the publication of banns therein, and in relation to marriages solemnized or intended to be solemnized therein according to those rites, as if the chapel were a parish church :

Provided that the enactments set out in the first column of Part II. of that Schedule shall apply subject to the modifications set out in the second column of that Part of that Schedule.

(2) Where a licence has been issued in respect of a chapel under this section, the bishop of the diocese in which the chapel is situate may at any time, and shall on the application of the Admiralty or a Secretary of State, revoke the licence.

(3) Upon the issue or revocation of a licence under this section, the registrar of the diocese shall register the fact and give notice thereof in writing to the Admiralty or a Secretary of State, as the case may be, who shall cause a copy of the notice to be published in the London Gazette and in some newspaper circulating in the diocese and to be sent to the Registrar-General.

(4) The Admiralty or any person authorised by them (as respects a naval chapel licensed under this section) and a Secretary of State or any person authorised by him (as respects any other chapel so licensed) shall appoint one or more clergymen of the Church of England for the purpose of registering marriages solemnized in the chapel according to the rites of the Church of England, and no marriage shall be solemnized in the chapel according to those rites except in the presence of a person so appointed, and the provisions of

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A.D. 1932. — the Marriage Act, 1898, and of the rules made thereunder,
61 & 62 Vict. c. 58. so far as those provisions relate to the registration of
marriages and subject to the modification set out in
Part II of the Second Schedule to this Act, shall apply
with respect to marriages solemnized as aforesaid in the
chapel as they apply with respect to marriages solemnized
under that Act in a registered building, and as if persons
appointed under this subsection were authorised persons
within the meaning of that Act.

Marriages
otherwise
than accord-
ing to rites
of Church of
England.

3.—(1) As respects marriages otherwise than ac-
cording to the rites of the Church of England, the
Registrar-General shall, on the application of the Admi-
ralty, in the case of a naval chapel, or a Secretary of
State, in the case of any other chapel, register any chapel
to which this Act applies for the solemnization therein
of marriages to which this Act applies, and while any
chapel is so registered—

(a) any such marriages which could lawfully be
solemnized in a building registered for the
solemnization of marriages under the Marriage
Act, 1836, being a building situated in the
same registration district as the chapel, may be
solemnized in the chapel; and

(b) the enactments relating to marriages otherwise
than according to the rites of the Church of
England and to the registration of such
marriages (excluding the enactments set out in
Part I of the Second Schedule to this Act)
shall apply in relation to the chapel, and in
relation to marriages solemnized or intended to
be solemnized therein otherwise than according
to those rites, as if the chapel were a building
so registered :

Provided that the enactments set out in the first
column of Part II of that Schedule shall apply subject to
the modifications set out in the second column of that
Part of that Schedule.

(2) The Registrar-General shall, on the application
of the Admiralty or a Secretary of State, as the case
may be, cancel the registration of any chapel registered
by him under this section.

(3) Immediately after registering, or cancelling the
registration of, any chapel under this section, the

Registrar-General shall cause notice of the fact to be published in the London Gazette and in some newspaper circulating in the registration district in which the chapel is situated and to be given to the superintendent registrar of that district, who shall record the registration or cancellation in such manner as may be prescribed by the Registrar-General. A.D. 1932.

4. After the solemnization of any marriage under the authority of this Act, it shall not be necessary, in support of the marriage, to give any proof of the fact— Evidence of marriages under Act.

- (a) that the chapel in which the marriage was solemnized was certified or licensed or registered in accordance with this Act; or
- (b) that either of the parties was a qualified person within the meaning of this Act; or
- (c) in the case of a marriage according to the rites of the Church of England, that the marriage was solemnized in the presence of a clergyman duly appointed under this Act for the purpose of registering marriages;

and no evidence shall be given to prove the contrary in any legal proceedings touching the validity of any such marriage.

5.—(1) This Act may be cited as the Marriage (Naval, Military, and Air Force Chapels) Act, 1932, and shall be construed as one with the Marriage Acts, 1811 to 1929, and those Acts and this Act may be cited together as the Marriage Acts, 1811 to 1932. Short title, construction, citation and extent.

(2) This Act shall not apply to any chapel in Scotland or Northern Ireland.

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SCHEDULES.

Section 2.

FIRST SCHEDULE.

EXCLUSION AND MODIFICATION OF ENACTMENTS
RELATING TO MARRIAGES ACCORDING TO THE RITES OF
THE CHURCH OF ENGLAND.

PART I.

ENACTMENTS EXCLUDED.

Section thirteen of the Marriage Act, 1823 (4 Geo. 4. c. 76).

The Marriage Act, 1824 (5 Geo. 4. c. 32).

Sections twenty-six to thirty-three of the Marriage Act,
1836 (6 & 7 Will. 4. c. 85).

Sections thirty, thirty-one and thirty-three of the Births
and Deaths Registration Act, 1836 (6 & 7 Will. 4. c. 86).

Sections twenty-seven, thirty-three and thirty-four of
the Births and Deaths Registration Act, 1837 (7 Will. 4 &
1 Vict. c. 22).

Section eleven of the Marriage and Registration Act, 1856
(19 & 20 Vict. c. 119).

The Marriage Measure, 1930.

PART II.

ENACTMENTS MODIFIED.

Enactment.	Modification.
The Marriage Act, 1823 (4 Geo. 4. c. 76).	Section two shall apply as if the chapel were the parish church of the parish in which the chapel is situated. Section six shall apply as if for the reference to the churchwardens or chapelwardens there were substituted, in relation to a naval chapel, a refer- ence to the Admiralty, and, in rela- tion to any other chapel, a reference to a Secretary of State.

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Enactment.	Modification.	A.D. 1932.
<p>The Marriage Act, 1823 (4 Geo. 4. c. 76).</p>	<p>Section seven shall apply as if it required the notice in writing mentioned therein to include a statement that one at least of the persons to be married is a qualified person within the meaning of this Act, and to specify the person so qualified and the nature of his qualification.</p> <p>Section ten shall apply as if the chapel were the parish church of the parish in which the chapel is situated.</p> <p>Section fourteen shall apply as if it required the oath, which is to be taken thereunder, to include a statement that one at least of the persons to be married is a qualified person within the meaning of this Act and to specify the person so qualified and the nature of his qualification.</p>	<p>1st Sch. —cont.</p>
<p>The Marriage Act, 1836 (6 & 7 Will. 4. c. 85).</p>	<p>Section one shall apply as if the words “ in force before the passing of this Act ” were omitted therefrom.</p> <p>Section sixteen shall apply as if for the reference to the officiating Minister there were substituted a reference to the clergyman, appointed under this Act for the purpose of registering marriages, in whose presence the marriage is solemnized.</p> <p>Section thirty-four shall apply as if the chapel were a chapel belonging to the Church of England and as if that section required the list which is to be sent thereunder by the registrar of the diocese to the Registrar-General to distinguish the chapels which are licensed by the bishop under this Act.</p>	
<p>The Births and Deaths Registration Act, 1836 (6 & 7 Will. 4. c. 86).</p>	<p>Section forty-two shall apply as if the words “ solemnized by him or ” were omitted therefrom.</p>	

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A.D. 1932.	Enactment.	Modification.
1st SCH. —cont.	The Marriage and Registration Act, 1856 (19 & 20 Vict. c. 119).	Section three shall apply as if there were inserted after the words “the last-mentioned Act” the words “and “ in every case where the marriage “ is intended to be had and solemnized under the provisions of the “ Marriage (Naval, Military, and Air “ Force Chapels) Act, 1932, such “ notice shall, in addition to the “ said particulars, contain a declara- “ tion that one at least of the parties “ to such intended marriage is a “ qualified person within the mean- “ ing of the last-mentioned Act, and “ specify the party so qualified and “ the nature of his qualification.”

Sections 2
and 3.

SECOND SCHEDULE.

EXCLUSION AND MODIFICATION OF ENACTMENTS
RELATING TO MARRIAGES OTHERWISE THAN
ACCORDING TO THE RITES OF THE
CHURCH OF ENGLAND.

PART I.

ENACTMENTS EXCLUDED.

Sections eighteen and nineteen of the Marriage Act, 1836.
Section eleven of the Marriage and Registration Act, 1856.

PART II.

ENACTMENTS MODIFIED.

Enactment.	Modification.
The Marriage Act, 1836 (6 & 7 Will. 4. c. 85).	The second proviso to section eleven shall apply as if the words from “ in any church or chapel ” to the words “ license for marriage ” (where they secondly occur) were omitted.

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Enactment.	Modification.	A.D. 1932.
<p>The Marriage and Registration Act, 1856 (19 & 20 Vict. c. 119).</p>	<p>Section three shall apply as if there were inserted after the words "the last-mentioned Act" the words "and in every case where the marriage is intended to be had and solemnized under the provisions of the Marriage (Naval, Military, and Air Force Chapels) Act, 1932, such notice shall, in addition to the said particulars, contain a declaration that one at least of the parties to such intended marriage is a qualified person within the meaning of the last-mentioned Act, and specify the party so qualified and the nature of his qualification."</p>	<p>2ND SCH. —cont.</p>
<p>The Marriage Act, 1898 (61 & 62 Vict. c. 58).</p>	<p>For references to the trustees or governing body of a building, there shall be substituted references to the Admiralty or any person authorised by them, in the case of a naval chapel, and references to a Secretary of State, or any person authorised by him, in the case of any other chapel.</p>	

Printed by EYRE and SPOTTISWOODE LIMITED,
FOR
WILLIAM RICHARD CODLING, Esq., C.B., C.V.O., C.B.E., the King's Printer of
Acts of Parliament.

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ISBN 0 10 514589 0