

## SCHEDULES

### SCHEDULE 1

Section 2.

#### DEGREES OF RELATIONSHIP

*Column 1*

*Column 2*

<i>Column 1</i>	<i>Column 2</i>
<i>1.—Relationships by consanguinity</i>	
Mother;	Father;
Daughter;	Son ;
Father's mother;	Father's father;
Mother's mother;	Mother's father;
Son's daughter;	Son's son;
Daughter's daughter;	Daughter's son;
Sister;	Brother;
Father's sister;	Father's brother;
Mother's sister;	Mother's brother;
Brother's daughter;	Brother's son ;
Sister's daughter ;	Sister's son ;
Father's father's mother;	Father's father's father;
Father's mother's mother ;	Father's mother's father ;
Mother's father's mother;	Mother's father's father;
Mother's mother's mother;	Mother's mother's father;
Son's son's daughter;	Son's son's son ;
Son's daughter's daughter;	Son's daughter's son ;
Daughter's son's daughter;	Daughter's son's son ;
Daughter's daughter's daughter;	Daughter's daughter's son.
<i>2.—Relationships by affinity</i>	
Mother of former wife ;	Father of former husband ;
Daughter of former wife ;	Son of former husband ;
Former wife of father ;	Former husband of mother ;
Former wife of son ;	Former husband of daughter ;
Former wife of father's father ;	Former husband of father's mother;
Former wife of mother's father ;	Former husband of mother's mother;

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<i>Column 1</i>	<i>Column 2</i>
Mother of father of former wife;	Father of father of former husband ;
Mother of mother of former wife ;	Father of mother of former husband ;
Daughter of son of former wife ;	Son of son of former husband ;
Daughter of daughter of former wife;	Son of daughter of former husband ;
Former wife of son's son ;	Former husband of son's daughter;
Former wife of daughter's son ;	Former husband of daughter's daughter.
<i>3.—Relationships by adoption</i>	
Adoptive mother or former adoptive mother;	Adoptive father or former adoptive father;
Adopted daughter or former adopted daughter;	Adopted son or former adopted son.

SCHEDULE 2

Section 28(1).

CONSEQUENTIAL AMENDMENTS OF OTHER ENACTMENTS

*The Foreign Marriage Act 1892 (c. 23)*

- 1 In section 22(4) (validity of marriages solemnised by chaplains of HM Forces serving abroad), for the words " Registration of Births, Deaths and Marriages (Scotland) Acts 1854 to 1938" there shall be substituted the words " Marriage (Scotland) Act 1977 ".

*The Marriage with Foreigners Act 1906 (c. 40)*

- 2 In section 1(1) (British subject giving notice of intended foreign marriage), for the words " the United Kingdom", there shall be substituted the words " any part of the United Kingdom other than Scotland ".
- 3 In section 2(1) (provision for regulations in relation to foreigners intending to marry in Britain), for the words " the United Kingdom ", in both places where they occur, there shall be substituted the words " any part of the United Kingdom other than Scotland ".

*The Marriage Act 1949 (c. 76)*

- 4 In section 37(1) (one party resident in Scotland)—
- (a) for paragraph (a) there shall be substituted the following paragraph—
- “(a) the party residing in Scotland may give notice of the intended marriage in accordance with section 7 of the Marriage (Scotland) Act 1977 ;”;
- (b) for paragraph (c) there shall be substituted the following paragraph—
- “(c) a certificate issued under section 7(2) of the Marriage (Scotland) Act 1977 to a party shall, for the purpose of that party's intended marriage, have the like force and effect

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in all respects as a certificate for marriage issued by a superintendent registrar under this Part of this Act;”.

*The Marriage (Scotland) Act 1956 (c. 70)*

- 5 In section 1 (notice of marriage intended to be solemnised in Scotland)—
- (a) for subsections (1) and (2) there shall be substituted the following subsections—
- “(1) Where one party to a marriage intended to be solemnised in Scotland is residing in England and the other is residing in Scotland, the party residing in England may give notice of the intended marriage to the superintendent registrar of the registration district in which he has resided for the period of seven days immediately before the giving of the notice.
- (2) Where both parties to a marriage intended to be solemnised in Scotland are residing in England, whether in the same registration district or in different registration districts, and one of the parties has a parent who has his usual residence in Scotland—
- (a) the other party may give notice of the intended marriage to the superintendent registrar of the registration district in which he has resided for the period of seven days immediately before the giving of the notice ;
- (b) if the parties live in different registration districts, it shall not be necessary for notice of the intended marriage to be given to the superintendent registrar of the other registration district.
- (2A) Section 28(1) of the Marriage Act 1949 (which relates to the declaration to accompany a notice of marriage) shall apply for the purposes of subsections (1) and (2) above as if paragraph (b) of the said section 28(1) required the declaration to state—
- (i) that the person giving the notice has for the period of seven days immediately before the giving of the notice had his usual place of residence within the registration district in which the notice is given ; and
- (ii) that the marriage is intended to be solemnised in Scotland; and
- (iii) that the other party to the intended marriage is resident in Scotland, or has a parent who has his usual residence in Scotland, as the case may be.”;
- (b) in subsection (3), for the words " last preceding subsection " there shall be substituted the words " foregoing provisions of this section ".

*The Registration of Births, Deaths and Marriages (Scotland) Act 1965 (c. 49)*

- 6 In section 11 (general provision as to fees)—
- (a) after the word "Act" where it first occurs there shall be inserted the words " or the Marriage (Scotland) Act 1977 ";

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- (b) for the words " this Act" where they occur for the second time there shall be substituted the words " or under this Act or the Marriage (Scotland) Act 1977 ".
- 7 In section 12 (fees to be accounted for), at the end there shall be added the words " and the Marriage (Scotland) Act 1977. ".
- 8 In section 32(1) (provision of registers etc. by Registrar General), at the end there shall be added the words " and the Marriage (Scotland) Act 1977. ".
- 9 In section 52 (sending of documents by post), after the word " Act" there shall be inserted the words " or the Marriage (Scotland) Act 1977. ".

## SCHEDULE 3

Section 28(2).

## REPEALS

Chapter	Short Title	Extent of Repeal
1567 c. 16.	The Marriage Act 1567.	The whole Act.
10 Anne c. 10.	The Scottish Episcopalians Act 1711.	Section 7.
4 & 5 Will. 4. c. 28.	The Marriage (Scotland) Act 1834.	The whole Act.
41 & 42 Vict. c. 43.	The Marriage Notice (Scotland) Act 1878.	The whole Act.
48 & 49 Vict. c. 61.	The Secretary for Scotland Act 1885.	In the Schedule, the entry relating to marriage notices.
6 Edw. 7. c. 40.	The Marriage with Foreigners Act 1906.	Section 5. In the Schedule, the heading " Part I Provisions Applicable Except in Scotland"; and Part II.
8 Edw. 7. c. 26.	The Naval Marriages Act 1908.	The whole Act.
5 & 6 Geo. 5. c 40.	The Marriage of British Subjects (Facilities) Act 1915.	The whole Act.
6 & 7 Geo. 5. c. 21.	The Marriage of British Subjects (Facilities) Amendment Act 1916.	The whole Act.
9 & 10 Geo. 5. c. 20.	The Scottish Board of Health Act 1919.	Section 4(1)(g).
19 & 20 Geo.5. c. 36.	The Age of Marriage Act 1929.	The whole Act.
2 & 3 Geo. 6. c. 33.	The Marriage Act 1939.	Section 1.

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Chapter	Short Title	Extent of Repeal
2 & 3 Geo. 6. c. 34.	The Marriage (Scotland) Act 1939.	Section 2(2). The whole Act.
5 & 6 Geo. 6. c. 20.	The Marriage (Scotland) Act 1942.	The whole Act.
12 & 13 Geo. 6. c. 76.	The Marriage Act 1949.	Section 37(2).
4 & 5 Eliz. 2. c. 70.	The Marriage (Scotland) Act 1956.	Section 1(4). Sections 2 and 3. In section 4, the words from " and the " to the end.
6 & 7 Eliz.2. c. 64.	The Local Government and Miscellaneous Financial Provisions (Scotland) Act 1958.	Section 17.
8 & 9 Eliz. 2. c. 29.	The Marriage Enabling Act 1960.	The whole Act.
1965 c. 49.	The Registration of Births, Deaths and Marriages (Scotland) Act 1965.	Part IV. In section 54, subsection (1) (c) and in subsection (2) the words " (c) or ".