
Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Cross Heading: Provision for consular marriage. (See end of Document for details)

SCHEDULES

SCHEDULE 6

MARRIAGE OVERSEAS

PART 1

CONSULAR MARRIAGE UNDER UK LAW

Provision for consular marriage

- 1 (1) Her Majesty may by Order in Council make provision for two people to marry each other—
- (a) in prescribed countries or territories outside the United Kingdom, and
 - (b) in the presence of a registration officer,
- in cases where the officer is satisfied that the conditions in sub-paragraph (2) are met.
- (2) The conditions are that—
- (a) at least one of the people proposing to marry is a United Kingdom national,
 - (b) the people proposing to marry would have been eligible to marry each other in such part of the United Kingdom as is determined in accordance with the Order,
 - (c) the authorities of the country or territory in which it is proposed that they marry will not object to the marriage, and
 - (d) insufficient facilities exist for them to enter into a marriage under the law of that country or territory.
- [^{F1}(3) For the purposes of sub-paragraph (2)(b), two people who are in a qualifying civil partnership with each other are to be treated as not having been eligible to marry each other in Scotland.
- (4) In sub-paragraph (3) “qualifying civil partnership” has the meaning given by section 5(6) of the Marriage (Scotland) Act 1977.]

Textual Amendments

- F1** Sch. 6 para. 1(3)(4) inserted (27.1.2022) by The Civil Partnership (Scotland) Act 2020 and Marriage and Civil Partnership (Scotland) Act 2014 (Consequential Modifications) Order 2022 (S.I. 2022/74), art. 1, Sch. 1 para. 4(2)

Commencement Information

- I1** Sch. 6 para. 1 in force at 21.1.2014 for specified purposes by S.I. 2014/93, art. 2(b)(i)
- I2** Sch. 6 para. 1 in force at 3.6.2014 in so far as not already in force by S.I. 2014/93, art. 5(c)

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