



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART I

### RESTRICTIONS ON MARRIAGE

#### 1 Marriages within prohibited degrees.

- (1) A marriage solemnized [<sup>F1</sup>between a person and any person mentioned in the list in Part 1 of Schedule 1], shall be void.
- [<sup>F2</sup>(2) Subject to subsection (3) of this section, a marriage solemnized [<sup>F3</sup>between a person and any person mentioned in the list in Part 2 of Schedule 1], shall be void.
- (3) Any such marriage as is mentioned in subsection (2) of this section shall not be void by reason only of affinity if both the parties to the marriage have attained the age of twenty-one at the time of the marriage and the younger party has not at any time before attaining the age of eighteen been a child of the family in relation to the other party.]

<sup>F4</sup>(4) .....

<sup>F4</sup>(5) .....

<sup>F4</sup>(6) .....

<sup>F4</sup>(7) .....

<sup>F4</sup>(8) .....

#### Textual Amendments

- F1** Words in s. 1(1) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(10\)\(b\), Sch. 27 para. 13\(2\)](#); S.I. 2005/3175, art. 2(2)
- F2** S. 1(2)–(5) inserted by [Marriage \(Prohibited Degrees of Relationship\) Act 1986 \(c. 16, SIF 49:1\), s. 1\(6\), Sch. 1 para. 2](#); original s. 1(2)(3) repealed by [Marriage \(Enabling\) Act 1960 \(c. 29\), Sch. 1](#)
- F3** Words in s. 1(2) substituted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\), s. 263\(10\)\(b\), Sch. 27 para. 13\(3\)](#); S.I. 2005/3175, art. 2(2)

*Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1949, Part I. (See end of Document for details)*

**F4** S. 1(4)-(8) omitted (1.3.2007) by virtue of [The Marriage Act 1949 \(Remedial\) Order 2007 \(S.I. 2007/438\)](#), arts. 1(1), **2(a)** (with art. 1(2))

**2 Marriages of persons under [<sup>F5</sup>eighteen].**

A marriage solemnized between persons either of whom is under the age of [<sup>F6</sup>eighteen] shall be void.

**Textual Amendments**

- F5** Word in s. 2 heading substituted (27.2.2023) by [Marriage and Civil Partnership \(Minimum Age\) Act 2022 \(c. 28\)](#), **ss. 1(2)(a)**, 7(1) (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)
- F6** Word in s. 2 substituted (27.2.2023) by [Marriage and Civil Partnership \(Minimum Age\) Act 2022 \(c. 28\)](#), **ss. 1(2)(b)**, 7(1) (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)

**<sup>F7</sup>3 Marriages of persons under twenty-one.**

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**Textual Amendments**

- F7** S. 3 omitted (27.2.2023) by virtue of [Marriage and Civil Partnership \(Minimum Age\) Act 2022 \(c. 28\)](#), **ss. 1(3)**, 7(1) (with s. 8); S.I. 2023/88, reg. 2 (with regs. 3-17)

**Modifications etc. (not altering text)**

- C1** S. 3 extended by [Family Law Reform Act 1969 \(c. 46\)](#), **s. 2(3)**; applied with modification by [Marriage \(Registrar General's Licence\) Act 1970 \(c. 34\)](#), **s. 6**
- C2** S. 3 applied (with modifications) (4.5.2021) by 1956 c. 70, s. 1(3) (as amended by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), **Sch. 1 para. 53(2)** (with Sch. 2))

**<sup>F8</sup>4 Hours for solemnization of marriages.**

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**Textual Amendments**

- F8** S. 4 repealed (1.10.2012) by [Protection of Freedoms Act 2012 \(c. 9\)](#), ss. 114(1)(a), 120, **Sch. 10 Pt. 11** (with s. 97); S.I. 2012/2234, art. 3(m)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage Act 1949, Part I.