



# Marriage Act 1949

1949 CHAPTER 76 12 13 and 14 Geo 6

## PART II

MARRIAGE ACCORDING TO RITES OF THE CHURCH OF ENGLAND

### *Marriage by banns*

#### **7 Time and manner of publication of banns.**

(1) Subject to the provisions of section nine of this Act, banns of matrimony shall be published on three Sundays preceding the solemnization of the marriage [<sup>F1</sup>during either the principal service or both the principal service and another service].

[<sup>F2</sup>(1A) In subsection (1) of this section “principal service” means the service at which, in the opinion of the clergyman or other person who, under section 9 of this Act, has the responsibility for publishing banns of matrimony, the greatest number of persons who habitually attend public worship are likely to attend.

(1B) Where banns of matrimony are published on a Sunday during both the principal service and another service, both of those occasions shall be deemed to be the same time of asking for the purposes of the form of words referred to in subsection (2) of this section.]

(2) Banns of matrimony shall be published in an audible manner and in accordance with the form of words prescribed by the rubric prefixed to the office of matrimony in the Book of Common Prayer [<sup>F3</sup>or set out in section 2 of the Church of England Marriage (Amendment) Measure 2012.], and all the other rules prescribed by the said rubric concerning the publication of banns and the solemnization of matrimony shall, so far as they are consistent with the provisions of this Part of this Act, be duly observed.

(3) The parochial church council of a parish shall provide for every church and chapel in the parish in which marriages may be solemnized, a register book of banns made of durable materials <sup>F4</sup>..., and all banns shall be published from the said register book of banns by the officiating clergyman, and not from loose papers, and after each

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*Changes to legislation: There are currently no known outstanding effects  
for the Marriage Act 1949, Section 7. (See end of Document for details)*

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publication the entry in the register book shall be signed by the officiating clergyman, or by some person under his direction.

- [<sup>F5</sup>(3A) A register book of banns must be marked as follows—
- (a) every place of entry is to be numbered consecutively from the beginning to the end of the book on each side of every page, beginning with the number one;
  - (b) every entry is to be divided from the following entry by a printed line;
  - (c) every entry must contain—
    - (i) the names of the parties to the marriage,
    - (ii) the parish or other place where each party to the marriage resides, and
    - (iii) the dates on which the banns of matrimony in respect of the marriage were published.]
- (4) Any reference in [<sup>F6</sup>subsection (3)] to a parochial church council shall, in relation to an authorised chapel in an extra-parochial place, be construed as a reference to the chapel warden or other officer exercising analogous duties in the chapel or, if there is no such officer, such person as may be appointed in that behalf by the bishop of the diocese.

#### **Textual Amendments**

- F1** Words in s. 7(1) substituted (19.12.2003) by [Church of England Marriage \(Amendment\) Measure 2012 \(No. 1\), ss. 2\(2\)\(a\)](#), 3(2)
- F2** S. 7(1A)(1B) inserted (19.12.2003) by [Church of England Marriage \(Amendment\) Measure 2012 \(No. 1\), ss. 2\(2\)\(b\)](#), 3(2)
- F3** Words in s. 7(2) inserted (19.12.2003) by [Church of England Marriage \(Amendment\) Measure 2012 \(No. 1\), ss. 2\(2\)\(c\)](#), 3(2)
- F4** Words in s. 7(3) omitted (4.5.2021) by virtue of [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), [Sch. 1 para. 3\(2\)](#) (with Sch. 2)
- F5** S. 7(3A) inserted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), [Sch. 1 para. 3\(3\)](#) (with Sch. 2)
- F6** Words in s. 7(4) substituted (4.5.2021) by [The Registration of Marriages Regulations 2021 \(S.I. 2021/411\)](#), reg. 1(2), [Sch. 1 para. 3\(4\)](#) (with Sch. 2)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage Act 1949, Section 7.