



Marriage Act 1939

1939 CHAPTER 33 2 and 3 Geo 6

An Act to facilitate marriages in cases where one party resides in Scotland and the other in England and to make further provision as respects notices of marriage between parties one of whom resides in Scotland or England. [13th July 1939]

Modifications etc. (not altering text)

C1 Words of enactment omitted under authority of [Statute Law Revision Act 1948 \(c. 62\), s. 3](#)

1^{F1}

Textual Amendments

F1 [S. 1](#) repealed as to marriages solemnized in England by [Marriage Act 1949 \(c. 76\), s. 79, Sch. 5 Pt. 1](#) and repealed by [Marriage \(Scotland\) Act 1977 \(c. 15, SIF 49:2\), s. 28\(2\), Sch. 3](#) (subject to a saving in s. 27(3) in relation to marriages before 1.1.1978).

2 **Power to accept notices and issue certificates where one party is residing in England or Scotland.**

(1) Where—

- (a) a marriage is intended to be solemnized in England between parties of whom one is residing in England, and
- (b) by virtue of any enactment to which this subsection applies, a certificate issued to the other party otherwise than by a superintendent registrar in England may be treated for the purpose of the marriage as if it had been issued by such a registrar,

the superintendent registrar of the district in which the first-mentioned party is residing shall have power, and shall be deemed always to have had power, to accept notice of the marriage given by that party, subject to and in accordance with the provisions of section four of the ^{M1}Marriage Act, 1836, as amended by any subsequent enactment, as if both parties were residing in different districts in England, and the provisions

Changes to legislation: There are currently no known outstanding effects for the Marriage Act 1939. (See end of Document for details)

of the Marriage Acts, 1811 to 1934, relating to notices of marriage and the issue of certificates for marriage shall apply, and shall be deemed always to have applied, accordingly.

(2) ^{F2}

(3) The enactments to which subsection (1) of this section applies are . . . ^{F3} paragraph (a) of subsection (1) of section one of the ^{M2}Marriage of British Subjects (Facilities) Act, 1915, and the enactments to which subsection (2) of this section applies are the said section three and the said paragraph (a) as those enactments apply to Scotland.

Textual Amendments

F2 S. 2(2) repealed by [Marriage \(Scotland\) Act 1977 \(c. 15, SIF 49:2\)](#), s. 28(2), [Sch. 3](#) (subject to a saving in s. 27(3) in relation to marriages before 1.1.1978).

F3 Words repealed by [Marriage Act 1949 \(c. 76\)](#), s. 79, [Sch. 5 Pt. I](#)

Marginal Citations

M1 1836 c. 85.

M2 1915 c. 40.

3 ^{F4}

Textual Amendments

F4 S. 3 repealed by [Marriage Act 1949 \(c. 76\)](#), s. 79, [Sch. 5 Pt. I](#)

4 Short title and citation.

(1) This Act may be cited as the Marriage Act, 1939.

(2) This Act, so far as it relates to England, may be cited together with the Marriage Acts, 1811 to 1934, as the Marriage Acts, 1811 to 1939.

Changes to legislation:

There are currently no known outstanding effects for the Marriage Act 1939.