
STATUTORY INSTRUMENTS

2021 No. 411

The Registration of Marriages Regulations 2021

PART 3

Marriage under marriage schedule

Amendment of section 31 of the 1949 Act

5.—(1) Section 31 of the 1949 Act (marriage under certificate without licence)⁽¹⁾ is amended as follows.

(2) In the heading, for “certificate without licence” substitute “marriage schedule”.

(3) For subsections (1) to (4), substitute—

“(1) Where a marriage is intended to be solemnized on the authority of a marriage schedule, the superintendent registrar to whom notice of marriage is given must display in some conspicuous place in their office, for 28 successive days beginning with the day after the day on which the notice was recorded in the marriage register—

- (a) the notice of marriage,
- (b) the particulars given in the notice, in an approved electronic form, or
- (c) an exact copy, signed by the superintendent registrar, of the particulars given in the notice, as entered in the marriage register.

(2) The superintendent registrar for the registration district in which a marriage is to be solemnized must, once satisfied that any of the conditions in subsection (3) is met, issue a document to be known as a “marriage schedule” in any form, and with any content, that may be prescribed, unless—

- (a) the superintendent registrar is not satisfied that there is no lawful impediment to the issue of the marriage schedule, or
- (b) the issue of the marriage schedule has been forbidden under section 30.

(3) The conditions are that—

- (a) the waiting period in relation to each notice of marriage has expired;
- (b) where one party to the marriage resides in Scotland, the superintendent registrar has received a certificate issued to that party under section 7(2) of the Marriage (Scotland) Act 1977⁽²⁾ and the waiting period in relation to the notice of marriage given by the party residing in England or Wales has expired;
- (c) where one party to the marriage is an officer, seaman or marine borne on the books of one of Her Majesty’s ships at sea, the superintendent registrar to whom notice

(1) Section 31 was amended by sections 160(4)(c), (5) and (6) and 163(1) of, and paragraph 10(4) of Schedule 4 and paragraph 14 of Schedule 14 and Schedule 16 to, the Immigration and Asylum Act 1999, paragraph 10(2) and (3) of Schedule 4 to the Immigration Act 2014, paragraph 10 to Schedule 15 of the Immigration Act 2016 and [S.I. 1968/1242](#), [S.I. 2009/2821](#) and [S.I. 2008/678](#).

(2) [1977 c. 15](#). Section 7(2) was amended by section 18(3) of the Marriage and Civil Partnership (Scotland) Act 2014 ([asp 5](#)).

of marriage was given by the other party has received a certificate issued under section 39(3) to the party borne on the books of one of Her Majesty's ships at sea and the waiting period in relation to the notice of marriage given by the party residing in England or Wales has expired.

(3A) A marriage schedule must include a statement that the issue of the marriage schedule has not been forbidden under section 30.

(4) A marriage schedule issued under subsection (2) is to be issued to one or both of the parties to the marriage, except in a case where the marriage is to be solemnized in the presence of a registrar, in which case the marriage schedule is to be issued to that registrar.”.

(4) In subsection (4A), for “entered in the marriage notice book, or in an approved electronic form by virtue of section 27(4A)” substitute “recorded in the marriage register”.

(5) In subsection (5), for “certificate under this section” substitute “marriage schedule”.

(6) In subsection (5B), for “the period of 28 days mentioned in subsections (1) to (2)” substitute “the period mentioned in subsection (4A), ignoring paragraph (b)”.

(7) Omit subsection (5C).

(8) In subsection (5EA), omit “and the reference to the Registrar General in subsection (5C) accordingly has effect as a reference to the Secretary of State”.

(9) In subsection (5EB), at the end, insert “and (if different) to the superintendent registrar responsible for issuing the marriage schedule”.

(3) Section 39 was amended by paragraph 10 of Schedule 1 to the Marriage Act 1983, paragraph 6 of Schedule 1 to the Marriage (Prohibited Degrees of Relationship) Act 1986 and paragraphs 3 and 21 of Schedule 14 and paragraph 1 of Schedule 16 to the Immigration and Asylum Act 1999.