

SCHEDULE 1

Consequential and related amendments

PART 1

Marriage Act 1949

Amendment of Part 3 of the 1949 Act (marriage under superintendent registrar's certificate)

27.—(1) Section 39 of the 1949 Act (issue of certificates on board Her Majesty's ships)⁽¹⁾ is amended as follows.

(2) In subsection (1), for “certificates of a superintendent registrar” substitute “a marriage schedule”.

(3) In subsection (2)—

- (a) omit “and shall have the like force and effect as a certificate issued by a superintendent registrar under this Part of this Act”;
- (b) for “certificates from superintendent registrars and to such certificates shall apply in the case of certificates issued under this section” substitute “a marriage schedule and to the issue of a marriage schedule apply in relation to a notice and declaration under subsection (1) and the issue of a certificate under this section”.

(4) For subsection (3) substitute—

“(3) Subsections (4) to (6) apply where—

- (a) the party who is an officer, seaman or marine borne on the books of one of Her Majesty's ships at sea has been issued with a certificate under this section, and
- (b) the superintendent registrar for the registration district in which the other party resides has received that certificate.

(4) That superintendent registrar may accept notice of marriage from that other party under section 27 and in accordance with this Part, as if both parties were residing in different registration districts.

(5) The superintendent registrar must then, as soon as reasonably practicable—

- (a) file the certificate issued under this section and keep it with the records of the superintendent registrar's office, and
- (b) record in the marriage register—
 - (i) the fact that the certificate has been received, and
 - (ii) the date on which the certificate was received.

(6) The superintendent registrar must also ensure the information recorded under subsection (5)(b) is open to inspection free of charge at all reasonable hours.”.

(1) 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.