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STATUTORY INSTRUMENTS

2015 No. 207

REGISTRATION OF BIRTHS, DEATHS, MARRIAGES ETC., ENGLAND AND WALES

The Registration of Marriages Regulations 2015

Made - - - - 5th February 2015

Coming into force - - 2nd March 2015

The Registrar General, in exercise of the powers conferred by sections 27(1)(**1**), 27A(3), (4) and (7)(**2**), 27B(2)(b)(**3**), 28G(1) and (3)(**4**), 31(2), (5), (5D)(**5**), 35(1)(**6**), 55(1), 57(2), 74(1)(b) and (3)(**7**) and 76(5) of the Marriage Act 1949, sections 2(1), 7 and 18 of the Marriage (Registrar General's Licence) Act 1970(**8**), and section 20(a) of the Registration Service Act 1953(**9**) as extended by section 26(3) of the Welsh Language Act 1993(**10**), and with the approval of the Secretary of State(**11**), makes the following Regulations:

(**1**) 1949 c. 76; there are amendments to the section, not relevant here. See section 78(1) for the definition of "prescribed".
(**2**) Section 27A was inserted by section 1(7) of, and paragraph 6 of Schedule 1 to, the Marriage Act 1983 (c. 32). There are amendments to the section, not relevant here.
(**3**) Section 27B was inserted by section 1(4)(6) of, and paragraph 5 of Schedule 1 to, the Marriage (Prohibited Degrees of Relationship) Act 1986 (c. 16). There are amendments to the section, not relevant here.
(**4**) Section 28G was inserted by paragraph 7 of Schedule 4 to the Immigration Act 2014 (c. 22).
(**5**) There are amendments to section 31(2) and (5), not relevant here. Section 31(5D) was inserted by section 160(6) of the Immigration and Asylum Act 1999 (c. 33).
(**6**) There are amendments to section 35(1), not relevant here.
(**7**) Section 74(3) was inserted by paragraph 15 of Schedule 4 to the Immigration Act 2014.
(**8**) 1970 c. 34; section 18 was amended by S.I. 1996/273 and by S.I. 2008/678.
(**9**) 1953 c. 37. See section 21(1) for the definitions of "the Minister", "prescribed" and "the Registration Acts". The definition of "the Minister" in section 21(1) was amended by S.I. 2008/678.
(**10**) 1993 c. 38.
(**11**) See sections 28G(6), 31(5E)(d) and 74(1) of the Act, section 18 of the 1970 Act and section 20 of the Registration Service Act 1953. By section 21 of the Registration Service Act 1953 (amended by S.I. 2008/678) "the Minister" by whom regulations under section 20 must be approved means the Secretary of State.

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PART 1

General

Citation and commencement

1. These Regulations may be cited as the Registration of Marriages Regulations 2015 and come into force on 2nd March 2015.

Commencement Information

I1 Reg. 1 in force at 2.3.2015, see **reg. 1**

Interpretation

2.—(1) In these Regulations—

"the Act" means the Marriage Act 1949;

"1970 Act" means the Marriage (Registrar General's Licence) Act 1970;

"entry" (unless the context otherwise requires), means a record of the particulars relating to a marriage completed in the appropriate places in form 15;

"occupation" includes rank or profession.

(2) In these Regulations, any reference to a numbered form is to the form bearing that number in Schedule 1, and any reference to a numbered column on a form, is to the column bearing that number on that form.

Commencement Information

I2 Reg. 2 in force at 2.3.2015, see **reg. 1**

Completion of forms

3.—(1) Forms 1(w) to 6(w), 9(w) to 12(w) and 15(w) in Schedule 1 must be completed in English and must also be completed in Welsh if—

(a) in the case of—

(i) forms 1(w) to 6(w), 9(w), 11(w) and 12(w), the party giving notice of the marriage, and

(ii) form 10(w), the person making the declaration,

so elects, and provides the required particulars in both languages, and the person by whom the notice, or as the case may be the declaration, is attested can understand and write Welsh;

(b) in the case of form 15(w), the parties to the marriage so elect and provide the required particulars in both languages, and the person who registers the marriage can understand and write Welsh.

(2) Where a form of words set out in column 1 of Schedule 2 to these Regulations is used in completing a form in English, the corresponding form of words set out in column 2 must be used where the form is also completed in Welsh.

Commencement Information
I3 Reg. 3 in force at 2.3.2015, see **reg. 1**

PART 2

Preliminaries to Marriage

Forms of notice of marriage

4.—(1) The form of notice of marriage to be given by each party to the marriage under section 27(1) of the Act(**12**) where—

(a) both parties are relevant nationals(**13**) and where—

(i) both parties are aged 18 or over, is form 1 if attested in England, or form 1(w) if attested in Wales; or

(ii) either party is, or both parties are, aged under 18, is form 2 if attested in England, or form 2(w) if attested in Wales.

(b) either party is not, or neither party is, a relevant national and where—

(i) both parties are aged 18 or over, is form 3 if attested in England, or form 3(w) if attested in Wales; or

(ii) either party is, or both parties are, aged under 18, is form 4 if attested in England, or form 4(w) if attested in Wales.

(2) The form of notice of marriage to be given by either party to the marriage under section 2(1) of the 1970 Act is form 5 if attested in England, or form 5(w) if attested in Wales.

Commencement Information
I4 Reg. 4 in force at 2.3.2015, see **reg. 1**

Endorsement on notice of marriage

5. The form of endorsement on the notice of marriage to be made under section 35(1) of the Act(**14**) (in respect of an intended marriage in a registration district in which neither party to the marriage resides) is form 6 if the notice is attested in England, or form 6(w) if attested in Wales.

Commencement Information
I5 Reg. 5 in force at 2.3.2015, see **reg. 1**

(**12**) Section 27(1) was amended by sections 161(1) and 169 of, paragraph 8 of Schedule 14 to, and paragraph 1 of Schedule 16 to, the Immigration and Asylum Act 1999 (c.33).
(**13**) "Relevant national" is defined in section 78(1) of the Act (definition inserted by paragraph 17 of Schedule 4 to the Immigration Act 2014 (c. 22)), and means a British citizen, a national of an EEA state other than the United Kingdom, or a national of Switzerland.
(**14**) Section 35(1) was amended by section 2 of the Marriage Act 1949 (Amendment) Act 1954 (c. 47); section 169(1) and (3) of, paragraph 17(2)(b) of Schedule 14 to, and paragraph 1 of Schedule 16 to, the Immigration and Asylum Act 1999 (c. 33).

Statements and particulars for intended marriage of housebound or detained person

6.—(1) The form of medical statement to be given under section 27A(2) of the Act(**15**) is form 7 concerning a person housebound in England, or form 7(w) concerning a person housebound in Wales.

(2) The form of statement to be made in relation to a detained person under section 27A(3) of the Act is form 8 concerning a person detained in England, or form 8(w) concerning a person detained in Wales.

(3) The form of the particulars of the person by or before whom the marriage is to be solemnized, which is to be given under section 27A(4) of the Act, is form 9 in relation to a marriage intended to be solemnized in England, or form 9(w) in relation to a marriage intended to be solemnized in Wales.

Commencement Information
I6 Reg. 6 in force at 2.3.2015, see **reg. 1**

Declaration for intended marriage of certain persons related by affinity

7.—(1) The form of declaration to be made by each of the persons to be married, in accordance with section 27B(2)(b) of the Act(**16**), is form 10 in relation to a marriage intended to be solemnized in England, or form 10(w) in relation to a marriage intended to be solemnized in Wales.

(2) A declaration mentioned in paragraph (1) must be signed by the person making it in the presence of the superintendent registrar, who must then sign the declaration as witness and add his or her description.

(3) The superintendent registrar referred to in paragraph (2) is the superintendent registrar to whom notice of the marriage is required to be given by the person making the declaration.

Commencement Information
I7 Reg. 7 in force at 2.3.2015, see **reg. 1**

Specified Evidence

8.—(1) Schedule 3 has effect to specify—

(a) evidence of a person's relevant nationality, for the purposes of sections 8(1)(b)(**17**) and 16(1C)(**18**) of the Act (see paragraph 2 of Schedule 3);

(b) evidence of a person's name, surname, and date of birth, for the purposes of section 28B(1)(a) and (b)(**19**) of the Act, and a person's nationality, for the purposes of section 28B(1)(d) of the Act (see paragraph 3 of Schedule 3);

(c) evidence of a person's place of residence, for the purposes of section 28B(1)(c) of the Act (see paragraph 4 of Schedule 3); and

(d) evidence of the ending of a person's previous marriage or civil partnership, for the purposes of section 28B(2) of the Act (see paragraph 5 of Schedule 3).

(**15**) Section 27A was amended by section 169(1) of, and paragraph 9 of Schedule 14 to, the Immigration and Asylum Act 1999.
(**16**) Section 27B(2) was amended by S.I. 2009/2821.
(**17**) Section 8 was amended by section 57(3) of the Immigration Act 2014 (c. 22).
(**18**) Section 16 was amended by section 57(4) of the Immigration Act 2014.
(**19**) Section 28B was inserted by paragraph 7 of Schedule 4 to the Immigration Act 2014.

Commencement Information

I8 Reg. 8 in force at 2.3.2015, see **reg. 1**

Application to reduce the 28 day waiting period

9.—(1) An application under section 31(5A) of the Act(**20**) to reduce the 28 day waiting period must be made—

(a) by a party to the marriage;

(b) to the superintendent registrar to whom that party has given notice of marriage;

(c) on form 11 if the notice is given in England, or form 11(w) if the notice is given in Wales, together with any evidence which supports the reason given in the form for applying for a reduction in the 28 day period;

and must be accompanied by the fee.

(2) The superintendent registrar must immediately forward the completed application and the fee paid to the Registrar General.

(3) If, on receipt of a completed application, the Registrar General requires further information (which may include documents), before making his or her decision, the Registrar General may—

(a) request that the superintendent registrar who forwarded the completed application obtain the information from the applicant and forward it to the Registrar General; or

(b) request it from the applicant.

(4) After the Registrar General has considered the completed application and any further information obtained, and is satisfied that there are, or are not, as the case may be, compelling reasons for reducing the 28 day period, the Registrar General must notify that decision to the applicant and to the superintendent registrar who forwarded the completed application.

(5) In this regulation—

"applicant" means the person seeking a reduction in the 28 day period;

"completed application" means the completed form 11 (or form 11(w) as the case may be) together with any evidence referred to in paragraph (1)(c); and

"fee" means the fee as specified (if one is so specified) in an order under section 31(5F) of the Act(**21**).

Commencement Information

I9 Reg. 9 in force at 2.3.2015, see **reg. 1**

Authorities for marriage issued by a superintendent registrar and by the Registrar General

10.—(1) The form of certificate for marriage to be issued under section 31(2) of the Act(**22**) is form 12 if the certificate is issued in England, or form 12(w) if the certificate is issued in Wales.

(**20**) Section 31(5A) was inserted by section 160(6) of the Immigration and Asylum Act 1999 (c. 33), and amended by S.I. 2008/678 and by paragraph 10(2) of Schedule 4 to the Immigration Act 2014.
(**21**) Section 31(5F) was amended by S.I. 2008/678. See S.I. 2010/441 (amended by S.I. 2014/1790) for the prescribed fee.
(**22**) Section 31(2) was amended by sections 160(4)(b) and 163(1) of the Immigration and Asylum Act 1999, and by paragraph 10(2) of Schedule 4 to the Immigration Act 2014.