Draft Order in Council laid before Parliament under paragraph 13(1) of Schedule 6 to the Marriage (Same Sex Couples) Act 2013, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2014 No.

MARRIAGE

The Overseas Marriage (Armed Forces) Order 2014

Made - - - - ***

Coming into force - - *3rd June 2014*

At the Court at Buckingham Palace, the * day of * 2014

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by paragraphs 8, 9 and 14 of Schedule 6 to the Marriage (Same Sex Couples) Act 2013(**1**), is pleased, by and with the advice of Her Privy Council, to make the following Order.

In accordance with paragraph 13(1) of Schedule 6 to that Act a draft of the statutory instrument containing the Order in Council has been laid before, and approved by a resolution of, each House of Parliament.

Citation, commencement, and extent

1.—(1) This Order may be cited as the Overseas Marriage (Armed Forces) Order 2014 and comes into force on 3rd June 2014.

(2) This Order does not extend to Northern Ireland.

Interpretation

2. In this Order—

"the Act" means the Marriage (Same Sex Couples) Act 2013;

"relevant governing authority" means the person or persons recognised by members of a religious organisation as competent for the purpose of giving consent for the purposes of this Order.

(**1**) 2013 c. 30.

Countries or territories in which armed forces marriages may take place

3. The marriage of two people may be solemnized in a country or territory outside the United Kingdom in the presence of an authorised person where—

(a) the authorised person is satisfied that the conditions set out in paragraph 8(2) of Schedule 6 to the Act are met; and

(b) in the case of a marriage of a same sex couple, the marriage takes place in a country or territory referred to in article 5.

Relevant part of the United Kingdom

4. For the purposes of paragraph 8(2)(b) of Schedule 6 to the Act the relevant part of the United Kingdom is the part nominated by the parties under article 6(3)(c).

Countries or territories in which the marriage of same sex couples may take place

5. The countries or territories in which two people of the same sex may marry each other in the presence of an authorised person are those countries or territories which have notified the Secretary of State in writing that there is no objection to such marriages taking place in that country or territory and have not subsequently revoked that notice.

Notice of intended marriage

6.—(1) Before any marriage can be solemnized under this Order, one of the parties to the proposed marriage must give notice of the parties' intention to marry to his or her commanding officer.

(2) The notice under paragraph (1) may only be given by a party to the proposed marriage who falls within one of the descriptions in paragraph 8(2)(a) of Schedule 6 to the Act.

(3) A notice under paragraph (1) must contain the following information—

(a) in respect of each of the parties to the proposed marriage—

(i) forenames;

(ii) surname;

(iii) nationality;

(iv) date of birth;

(v) gender;

(vi) address or place of residence;

(vii) whether he or she has previously been a civil partner or married;

(b) in respect of each of the parties to the proposed marriage who falls within one of the descriptions in paragraph 8(2)(a) of Schedule 6 to the Act—

(i) where that person is a member of Her Majesty's forces serving in the country or territory in which the marriage is proposed to take place, the name and location of the unit in which that person is serving;

(ii) where that person is a relevant civilian employed in that country or territory, the name and location of the post where that person is employed;

(iii) where the person falls within the description in paragraph 8(2)(a)(iii) of Schedule 6 to the Act (but does not fall within either paragraph (i) or (ii) above), the information referred to in (as the case may be) paragraphs (i) or (ii) above about each of that