STATUTORY RULES OF NORTHERN IRELAND

2003 No. 468

MARRIAGE

The Marriage Regulations (Northern Ireland) 2003

Made - - - -	*3rd November 2003*
Coming into operation	*1st January 2004*

The Department of Finance and Personnel in exercise of the powers conferred on it by Articles 3(3) and (4), 4(1), 7(1), (2), (5) and (6), 8(3) and (4), 17, 18(3), (4) and (6), 21(4), 22(3), 24(3), 27(1), 29(2), 35(3), 36(1) and (3) and 39(2) of the Marriage (Northern Ireland) Order 2003(**1**), and of all other powers enabling it in that behalf, hereby makes the following Regulations.

Citation and commencement

1. These regulations may be cited as the Marriage Regulations (Northern Ireland) 2003 and shall come into operation on 1st January 2004.

Interpretation

2. In these regulations –

"approval" means place approval or temporary place approval;

"approval holder" means the person on whose application the approval was granted pursuant to these regulations or a person who is deemed to be the approval holder under regulation 32;

"approved place" means a place which has been approved by an authority under these regulations and for which said approval is still current;

"applicant" means an applicant for an approval;

"authority" means the local registration authority as referred to in Article 30 of the Order;

"place" means any place whose position within the district can be suitably defined in words or figures for the purpose of recording where the civil marriage was solemnised and includes any premises, fixed building, temporary structure, enclosures and similar structures, land and any vessels or vehicles;

"place approval" means the approval, by an authority of a place where civil marriages may be solemnised for a period in its district;

"temporary place approval" means approval by an authority of a place where a civil marriage may be solemnised for one occasion in its district;

(**1**) S.I.2003/413 (N.I. 3)

"the Order" means the Marriage (Northern Ireland) Order 2003.

Marriage Notice

3.—(1) A marriage notice shall be in the form as set out in Schedule 1.

(2) The marriage notice for each party to a marriage intended to be solemnised in Northern Ireland shall be served on the registrar at least 14 days before the date of intended marriage except where –

(a) the registrar has received a written request from one or both of the parties giving the reason why 14 days notice cannot be given; and

(b) the registrar has been authorised by the Registrar General to reduce the period of 14 days notice to such shorter period as he considers necessary.

4. The registrar may require either of the parties to the marriage to give the marriage notice in person to the registrar for the district in which the marriage is to take place or to a registrar of any other district where –

(a) the registrar is not satisfied that the marriage notice has been completed correctly; or

(b) there is any doubt about the identity of the parties; or

(c) there appears to be a legal impediment to the marriage; or

(d) any of the documents submitted is not in order.

Marriage Notice Book

5. The prescribed particulars, in relation to a person to be taken from each marriage notice received by the registrar, shall be that person's –

(a) surname and name;

(b) address;

(c) marital status;

(d) date of birth; and

(e) date of intended marriage.

Marriage schedule

6.—(1) A marriage schedule shall be in the form set out in Schedule 2.

(2) The registrar shall issue the marriage schedule within a period of 14 days before the date of the intended marriage.

(3) If for any reason the marriage cannot be solemnised at the place specified in the marriage schedule the registrar may substitute or direct the officiant to substitute the new place in the marriage schedule already issued.

(4) In the circumstances listed in paragraph (5), where the officiant specified in the marriage schedule cannot solemnise the marriage then another officiant may solemnise the marriage and substitute his name in the marriage schedule.

(5) The circumstances, in relation to the officiant specified in the marriage schedule referred to in paragraph (4), are that officiant's –

(a) sudden death;

(b) sudden illness; or

(c) unavoidable delay.

Certificate in Respect of Legal Capacity to Marry

7.—(1) The certificate to be issued under Article 8(3) of the Order shall be in the form set out in Schedule 3.

(2) The registrar shall not issue a certificate before the expiration of a period of 14 days from the date of receipt of the marriage notice.

Notices to return schedule

8.—(1) The notice to be served under Article 17(1) of the Order shall be in the form set out in Schedule 4.

(2) The notice to be served under Article 17(2) of the Order shall be in the form set out in Schedule 5.

Medical statement

9. The medical statement for the purposes of Article 18(6) of the Order shall be in the form set out in Schedule 6.

Second Marriage Ceremony

10. For the purposes of Article 21(4) of the Order –

(a) the marriage notice shall be in the form set out in Schedule 7;

(b) the marriage schedule shall be in the form set out in Schedule 8;

(c) Article 6 of the Order shall apply as if paragraph (6)(b) were omitted.

Consent

11. The relevant consents for the purpose of Article 22 of the Order shall be in the form set out in Schedule 9.

12. The prescribed particulars to be taken from each consent or from an order made under Article 23 of the Order shall be –

(a) date of intended marriage;

(b) name and surname of each party;

(c) address of each party;

(d) age of each party;

(e) name of each person giving consent;

(f) name of Health and Social Services Board or Health and Social Services Trust (if applicable); and

(g) date of consent or order.

Corrections

13.—(1) The Registrar General or any registrar may –

(a) correct any clerical error in a registration of marriage; and

(b) correct any error of fact or substance in a registration of marriage if a person requiring the error to be corrected produces documentary proof of the true facts or produces a statutory declaration specifying the true facts or statutory declaration by a credible witness possessing knowledge of the true facts.

(2) The statutory declaration referred to in paragraph (1)(b) shall be in the form set out in Schedule 10.

Detained persons

14. The statement for the purposes of Article 29 of the Order shall be in the form as set out in Schedule 11.

Civil marriage in approved places

Applicants for an approval of a place for marriage

15.—(1) An application for a place approval may, following the procedures set out in regulation 16, be made to the authority by any person.

(2) An application for a temporary approval may, following the procedures set out in regulation 17, be made to the authority by either of the parties to an intended civil marriage in respect of any place which at the time of the application has not place approval, other than one where an approval will expire before the date of the intended civil marriage.

Place approvals

16.—(1) An applicant for place approval shall deliver to the authority an application in writing to include –

(a) the name and address of the applicant; and

(b) a description of the place where it is intended that civil marriages will be solemnised sufficient to identify that place and to allow the authority to inspect it and, in the case of a vessel or vehicle, a description of that vessel or vehicle and the location at which it may be inspected.

(2) The required fee, or an amount on account of that fee, determined in accordance with regulation 26, must accompany the application.

(3) The applicant shall provide the authority with such additional information as the authority may reasonably require in order to determine the application.

(4) The authority may, if it considers it to be appropriate after receiving the application, arrange for the place to be inspected.

Temporary place approvals

17.—(1) An applicant for a temporary place approval shall deliver to the authority an application in writing to include –

(a) the name and address of the applicant;

(b) the date and time of the intended civil marriage; and

(c) a description of the place where it is intended that the civil marriage be solemnised sufficient to identify that place and to allow the authority to inspect it and, in the case of a vessel or vehicle, a description of that vessel or vehicle and the location at which it may be inspected.

(2) The required fee, or an amount on account of that fee, determined in accordance with regulation 26, must accompany the application.

(3) The applicant shall provide the authority with such additional information as the authority may reasonably require in order to determine the application.

(4) The authority may, if it considers it to be appropriate after receiving the application, arrange for the place to be inspected.

Public notice

18.—(1) As soon as practicable after receiving an application the authority shall, in accordance with paragraph (2), cause a notice to be placed on public display at the place named in the application.

(2) The notice referred to in paragraph (1) shall –

(a) identify the place and the applicant;

(b) state the date and time of the intended civil marriage, in relation to a temporary place approval;

(c) state that objections to the application may be made to the authority in accordance with regulation 19; and

(d) state the address at which the application can be inspected and the address to which such objections should be given.

Objections

19.—(1) Any person may give notice in writing to the authority of an objection to an application in accordance with this regulation.

(2) The authority shall consider the objection provided that the objection –

(a) specifies the name and address of the person making it;

(b) specifies reasons for the objection; and

(c) was made to the authority within 21 days from the date on which notice was placed on public display under regulation 18.

(3) On special cause shown, the authority may consider an objection to which this regulation applies notwithstanding that it was not made within the period required by paragraph (2)(c).

(4) The authority shall send a copy of any objection submitted in accordance with this regulation to the applicant.

Determination of applications

20.—(1) The authority shall not grant an approval if the application has not been made in accordance with these regulations.

(2) The authority shall not grant an approval if, in its opinion –

(a) the place will compromise the solemnity and dignity of civil marriage;

(b) the place has a recent or continuing connection with any religious body or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages; or

(c) the place does not fulfil any other reasonable requirements which the authority considers appropriate to ensure that the facilities provided at the place are suitable.

(3) The authority shall not grant an approval without –

(a) having regard to the guidance issued by the Registrar General under regulation 34; and

(b) taking account of any objections in respect of the application which have been made in accordance with regulation 19.

(4) The authority shall not grant a place approval if, in its opinion, the applicant is not a fit and proper person.