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TO

Make amendments to the Marriage Act 1949 to make provision for all religious marriages to be solemnized on the authority of a superintendent registrar.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Amendments to the Marriage Act 1949**

- (1) The Marriage Act 1949 is amended as follows.
- (2) In section 26 (marriage of a man and a woman; marriage of same sex couples for which no-opt-in necessary), in subsection (1), after paragraph (e) insert—
  - “(f) any marriage according to the rites or usages of any religion not otherwise within paragraphs (a) to (e) of this subsection.” 5
- (3) In section 53 (persons by whom marriages are to be registered), after paragraph (g) insert—
  - “(h) in the case of a marriage solemnized according to the rites or usages of any other religion not covered within paragraphs (a) to (g), by the priest or a similar person principally responsible for the solemnization of the marriage according to those rites and usages.” 10
- (4) In section 54 (provision of marriage register books by Registrar General), in subsection (1), after second “building,” insert “and to every other person who may be required to register a marriage or marriages pursuant to section 53 of this Act,”. 15
- (5) In section 55 (manner of registration of marriages), for subsection (2) substitute—
  - “(2) Every entry made in a marriage register book by virtue of this section by a clergyman, registering officer, secretary, authorised person or any other person required to register a marriage pursuant to section 53 of this Act, shall be signed by that person, and by the parties to the marriage and two witnesses, and every entry so made by a registrar 20

shall be signed by the person by or before whom the marriage was solemnized, if any, and by the registrar, the parties to the marriage and two witnesses.”

- (6) In section 57 (quarterly returns to be made to superintendent registrar), in subsection 1, for “and registrar” substitute “, registrar and any other person required to register marriages pursuant to section 53 of this Act”. 5
- (7) In section 59 (custody of register books) for “and registrar” substitute “, registrar and any other person required to register marriages pursuant to section 53 of this Act”.
- (8) In section 63 (searches in register books) for “every incumbent, registering officer of the Society of Friends, secretary of a synagogue and registrar by whom a marriage register book is kept” substitute “every person by whom a marriage register book is kept”. 10
- (9) In section 75 (offences relating to solemnization of marriages), for subsection (2) substitute – 15
- “(2) Any person who knowingly and wilfully purports to solemnize a marriage which may not be lawfully registered pursuant to Parts I to IV of this Act shall be guilty of felony and shall be liable to imprisonment for a term not exceeding five years.”
- (10) In section 76 (offences relating to registration of marriages), in subsection (3) for “registrar” substitute “person”. 20

## 2 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force six months from the day on which it is passed.
- (3) This Act may be cited as the Marriage Act 1949 (Amendment) Act 2017. 25



# Marriage Act 1949 (Amendment) Bill [HL]

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To make amendments to the Marriage Act 1949 to make provision for all religious marriages to be solemnized on the authority of a superintendent registrar.

*Baroness Cox*

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*Ordered to be Printed, 10th July 2017*

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