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**WILLS ACT 1837**  
**(7 Will. 4 & 1 Vict., c. 26)**

**18. Wills to be revoked by marriage, except in certain cases**

- (1) Subject to subsections (2) to (4) below, a will shall be revoked by the testator's marriage.
- (2) A disposition in a will in exercise of a power of appointment shall take effect notwithstanding the testator's subsequent marriage unless the property so appointed would in default of appointment pass to his personal representatives.
- (3) Where it appears from a will that at the time it was made the testator was expecting to be married to a particular person and that he intended that the will should not be revoked by the marriage, the will shall not be revoked by his marriage to that person.
- (4) Where it appears from a will that at the time it was made the testator was expecting to be married to a particular person and that he intended that a disposition in the will should not be revoked by his marriage to that person,—
  - (a) that disposition shall take effect notwithstanding the marriage; and
  - (b) any other disposition in the will shall take effect also, unless it appears from the will that the testator intended the disposition to be revoked by the marriage.

**18A. Effect of dissolution or annulment of marriage on wills**

- (1) Where, after a testator has made a will, a decree of a court of civil jurisdiction in England and Wales dissolves or annuls his marriage or his marriage is dissolved or annulled and the divorce or annulment is entitled to recognition in England and Wales by virtue of Part II of the Family Law Act 1986,—
  - (a) provisions of the will appointing executors or trustees or conferring a power of appointment, if they appoint or confer the power on the former spouse, shall take effect as if the former spouse had died on the date on which the marriage is dissolved or annulled, and
  - (b) any property which, or an interest in which, is devised or bequeathed to the former spouse shall pass as if the former spouse had died on that date, except in so far as a contrary intention appears by the will.
- (2) Subsection (1)(b) above is without prejudice to any right of the former spouse to apply for financial provision under the Inheritance (Provision for Family and Dependants) Act 1975.

**18B. Will to be revoked by civil partnership**

- (1) Subject to subsections (2) to (6), a will is revoked by the formation of a civil partnership between the testator and another person.
- (2) A disposition in a will in exercise of a power of appointment takes effect despite the formation of a subsequent civil partnership between the testator and another person unless the property so appointed would in default of appointment pass to the testator's personal representatives.
- (3) If it appears from a will—
  - (a) that at the time it was made the testator was expecting to form a civil partnership with a particular person, and
  - (b) that he intended that the will should not be revoked by the formation of the civil partnership,the will is not revoked by its formation.
- (4) Subsections (5) and (6) apply if it appears from a will—
  - (a) that at the time it was made the testator was expecting to form a civil partnership with a particular person, and
  - (b) that he intended that a disposition in the will should not be revoked by the formation of the civil partnership.
- (5) The disposition takes effect despite the formation of the civil partnership.
- (6) Any other disposition in the will also takes effect, unless it appears from the will that the testator intended the disposition to be revoked by the formation of the civil partnership.

**18C. Effect of dissolution or annulment of civil partnership on wills**

- (1) This section applies if, after a testator has made a will—
  - (a) a court of civil jurisdiction in England and Wales dissolves his civil partnership or makes a nullity order in respect of it, or

- (b) his civil partnership is dissolved or annulled and the dissolution or annulment is entitled to recognition in England and Wales by virtue of Chapter 3 of Part 5 of the Civil Partnership Act 2004.
- (2) Except in so far as a contrary intention appears by the will—
  - (a) provisions of the will appointing executors or trustees or conferring a power of appointment, if they appoint or confer the power on the former civil partner, take effect as if the former civil partner had died on the date on which the civil partnership is dissolved or annulled, and
  - (b) any property which, or an interest in which, is devised or bequeathed to the former civil partner shall pass as if the former civil partner had died on that date.
- (3) Section (2)(b) does not affect any right of the former civil partner to apply for financial provision under the Inheritance (Provision for Family and Dependents) Act 1975.

### **MARRIED WOMEN'S PROPERTY ACT 1882** (45 & 46 Vict., c. 75)

#### **11. Moneys payable under policy of assurance not to form part of estate of the insured**

A married woman may effect a policy upon her own life or the life of her husband for her own benefit; and the same and all benefit thereof shall enure accordingly.

A policy of assurance effected by any man on his own life, and expressed to be for the benefit of his wife, or of his children, or of his wife and children, or any of them, or by any woman on her own life, and expressed to be for the benefit of her husband, or of her children, or of her husband and children, or any of them, shall create a trust in favour of the objects therein named, and the moneys payable under any such policy shall not, so long as any object of the trust remains unperformed, form part of the estate of the insured, or be subject to his or her debts: Provided, that if it shall be proved that the policy was effected and the premiums paid with intent to defraud the creditors of the insured, they shall be entitled to receive, out of the moneys payable under the policy, a sum equal to the premiums so paid. ...

#### **17. Questions between husband and wife as to property to be decided in a summary way**

In any question between husband and wife as to the title to or possession of property, either party may apply by summons or otherwise in a summary way to the High Court or such county court as may be prescribed and the court may, on such an application (which may be heard in private), make such order with respect to the property as it thinks fit.

In this section 'prescribed' means prescribed by rules of court and rules made for the purposes of this section may confer jurisdiction on county courts whatever the situation or value of the property in dispute.

### **LAW OF PROPERTY ACT 1925** (15 & 16 Geo. 5, c. 20)

#### **37. Rights of husband and wife**

A husband and wife shall, for all purposes of acquisition of any interest in property, under a disposition made or coming into operation after the commencement of this Act, be treated as two persons.

#### **53. Instruments required to be in writing**

- (1) Subject to the provision hereinafter contained with respect to the creation of interests in land by parol—
  - (a) no interest in land can be created or disposed of except by writing signed by the person creating or conveying the same, or by his agent thereunto lawfully authorised in writing, or by will, or by operation of law;

- (b) a declaration of trust respecting any land or any interest therein must be manifested and proved by some writing signed by some person who is able to declare such trust or by his will;
  - (c) a disposition of an equitable interest or trust subsisting at the time of the disposition, must be in writing signed by the person disposing of the same, or by his agent thereunto lawfully authorised in writing or by will.
- (2) This section does not affect the creation or operation of resulting, implied or constructive trusts.

## NATIONAL ASSISTANCE ACT 1948 (11 & 12 Geo. 6, c. 29)

### PART IV GENERAL AND SUPPLEMENTARY

#### *Recovery of expenses*

#### **42. Liability to maintain wife or husband, and children**

- (1) For the purposes of this Act—
- (a) a man shall be liable to maintain his wife and his children, and
  - (b) a woman shall be liable to maintain her husband and her children.
- (2) Any reference in subsection (1) of this section to a person's children shall be construed in accordance with section 1 of the Family Law Reform Act 1987.

#### **43. Recovery of cost of assistance from persons liable for maintenance**

- (1) Where assistance is given or applied for by reference to the requirements of any person (in this section referred to as a person assisted), the local authority concerned may make a complaint to the court against any other person who for the purposes of this Act is liable to maintain the person assisted.
- (2) On a complaint under this section the court shall have regard to all the circumstances and in particular to the resources of the defendant, and may order the defendant to pay such sum, weekly or otherwise, as the court may consider appropriate.
- ...
- (5) Payments under subsection (2) of this section shall be made—
- (a) to the local authority concerned, in respect of the cost of assistance, whether given before or after the making of the order, or
  - (b) to the applicant for assistance or any other person being a person assisted, or
  - (c) to such other person as appears to the court expedient in the interests of the person assisted,
- or as to part in one such manner and as to part in another, as may be provided by the order.
- (6) An order under this section shall be enforceable as a magistrates' court maintenance order within the meaning of section 150(1) of the Magistrates' Courts Act 1980.

## MARRIAGE ACT 1949 (12 & 13 Geo. 6, c. 76)

### PART I RESTRICTIONS ON MARRIAGE

#### **1. Marriages within prohibited degrees**

- (1) A marriage solemnized between a person and any person mentioned in the list in Part 2 of Schedule 1 shall be void.
- (2) Subject to subsection (3) of this section, a marriage solemnized between a person and any person mentioned in the list in Part 2 of Schedule 1 shall be void.
- (3) Any such marriage as is mentioned in subsection (2) of this section shall not be void by reason only of affinity if both the parties to the marriage have attained the age of twenty-

one at the time of the marriage and the younger party has not at any time before attaining the age of eighteen been a child of the family in relation to the other party.

(4)–(8) ...

## 2. Marriages of persons under sixteen

A marriage solemnized between persons either of whom is under the age of sixteen shall be void.

## 3. Marriages of persons under eighteen

(1) Where the marriage of a child, not being a widower or widow, is intended to be solemnized on the authority of certificates issued by a superintendent registrar under Part III of this Act, the consent of the appropriate persons shall be required.

Provided that—

- (a) if the superintendent registrar is satisfied that the consent of any person whose consent is so required cannot be obtained by reason of absence or inaccessibility or by reason of his being under any disability, the necessity for the consent of that person shall be dispensed with, if there is any other person whose consent is also required; and if the consent of no other person is required, the Registrar General may dispense with the necessity of obtaining any consent, or the court may, on application being made, consent to the marriage, and the consent of the court so given shall have the same effect as if it had been given by the person whose consent cannot be so obtained;
- (b) if any person whose consent is required refuses his consent, the court may, on application being made, consent to the marriage, and the consent of the court so given shall have the same effect as if it had been given by the person whose consent is refused.

(1A) The appropriate persons are—

- (a) if none of paragraphs (b) to (h) apply, each of the following—
  - (i) any parent of the child who has parental responsibility for him; and
  - (ii) any guardian of the child;
- (b) where a special guardianship is in force with respect to the child, each of the child's special guardians, unless any of paragraphs (c) to (g) applies;
- (c) where a care order has effect with respect to the child, the local authority designated in the order, and each parent, guardian or special guardian (in so far as their parental responsibility has not been restricted under section 33(3) of the Children Act 1989), unless paragraph (e) applies;
- (d) where a residence order has effect with respect to the child, the persons with whom the child lives, or is to live, as a result of the order, unless paragraph (e) applies;
- (e) where an adoption agency is authorised to place a child for adoption under section 19 of the Adoption and Children Act 2002, that agency, or, where a care order has effect with respect to the child, the local authority designated in the order;
- (f) where a placement order is in force with respect to a child, the appropriate local authority;
- (g) where a child has been placed for adoption with prospective adopters, the prospective adopters (in so far as their parental responsibility has not been restricted under section 25(4) of the Adoption and Children Act 2002), in addition to the persons specified in paragraph (e) or (f);
- (h) where none of paragraphs (b) to (g) apply but a residence order was in force with respect to the child immediately before he reached the age of sixteen, the persons with whom he lived, or was to live, as a result of the order.

(1B) In this section—

'guardian of the child', 'parental responsibility', 'residence order', 'special guardian', 'special guardianship order' and 'care order' have the same meaning as in the Children Act 1989;  
 'adoption agency', 'placed for adoption', 'placements order' and 'local authority' have the same meaning as in the Adoption and Children Act 2002;  
 'appropriate local authority' means the local authority authorised by the placement order to place the child for adoption.

(2) Subsection (1) shall apply to marriages intended to be solemnized on the authority of a common licence, with the substitution of references to the ecclesiastical authority by

whom the licence was granted for references to the superintendent registrar, and with the substitution of a reference to the Master of the Faculties for the reference to the Registrar General.

- (3) Where the marriage of a child not being a widower or widow, is intended to be solemnized after the publication of banns of matrimony then, if any person whose consent to the marriage would have been required under this section in the case of a marriage intended to be solemnized otherwise than after the publication of the banns, openly and publicly declares or causes to be declared, in the church or chapel in which the banns are published, at the time of the publication, his dissent from the intended marriage, the publication of banns shall be void.
- (4) A clergyman shall not be liable to ecclesiastical censure for solemnizing the marriage of a child after the publication of banns without the consent of the parents or guardians of the child unless he had notice of the dissent of any person who is entitled to give notice of dissent under the last foregoing subsection.
- (5) For the purposes of this section, 'the court' means the High Court, the county court of the district in which any applicant or respondent resides, or a court of summary jurisdiction appointed for the commission area in which any applicant or respondent resides, and rules of court may be made for enabling applications under this section—
  - (a) if made to the High Court, to be heard in chambers;
  - (b) if made to the county court, to be heard and determined by the registrar subject to appeal to the judge;
  - (c) if made to a court of summary jurisdiction, to be heard and determined otherwise than in open court,
 and shall provide that, where an application is made in consequence of a refusal to give consent, notice of the application shall be served on the person who has refused consent.
- (6) Nothing in this section shall dispense with the necessity of obtaining the consent of the High Court to the marriage of a ward of court.

#### **4. Hours for solemnization of marriages**

A marriage may be solemnized at any time between the hours of eight in the forenoon and six in the afternoon.

### PART II MARRIAGE ACCORDING TO RITES OF THE CHURCH OF ENGLAND

#### *Preliminary*

#### **5. Methods of authorising marriages**

A marriage according to the rites of the Church of England may be solemnized—

- (a) after the publication of banns of matrimony;
- (b) on the authority of a special licence of marriage granted by the Archbishop of Canterbury or any other person by virtue of the Ecclesiastical Licences Act 1533 (in this Act referred to as a 'special licence');
- (c) on the authority of a licence of marriage (other than a special licence) granted by an ecclesiastical authority having power to grant such a licence (in this Act referred to as a 'common licence'); or
- (d) on the authority of certificates issued by a superintendent registrar under Part III of this Act,

except that paragraph (a) of this section shall not apply in relation to the solemnization of any marriage mentioned in subsection (2) of section 1 of this Act.

#### **5A. Marriages between certain persons related by affinity**

No clergyman shall be obliged—

- (a) to solemnize a marriage which, apart from the Marriage (Prohibited Degrees of Relationship) Act 1986, would have been void by reason of the relationship of the persons to be married; or
- (b) to permit such a marriage to be solemnized in the church or chapel of which he is the minister.

**5B. Marriages involving person of acquired gender**

- (1) A clergyman is not obliged to solemnize the marriage of a person if the clergyman reasonably believes that the person's gender has become the acquired gender under the Gender Recognition Act 2004.
- (2) A clerk in Holy Orders of the Church of Wales is not obliged to permit the marriage of a person to be solemnized in the church or chapel of which the clerk is minister if the clerk reasonably believes that the person's gender has become the acquired gender under that Act.

*Marriage by banns***6. Place of publication of banns**

- (1) Subject to the provisions of this Act, where a marriage is intended to be solemnized after the publication of banns of matrimony, the banns shall be published—
  - (a) if the persons to be married reside in the same parish, in the parish church of that parish;
  - (b) if the persons to be married do not reside in the same parish, in the parish church of each parish in which one of them resides:
 Provided that if either of the persons to be married resides in a chapelry or in a district specified in a licence granted under section twenty of this Act, the banns may be published in an authorised chapel of that chapelry or district instead of in the parish church of the parish in which that person resides.

- ...
- (4) Banns of matrimony may be published in any parish church or authorised chapel which is the usual place of worship of the persons to be married or of one of them although neither of those persons resides in the parish or chapelry to which the church or chapel belongs;
 

Provided that the publication of the banns by virtue of this subsection shall be in addition to and not in substitution for the publication of banns required by subsection (1) of this section.

**8. Notice to clergyman before publication of banns**

No clergyman shall be obliged to publish banns of matrimony unless the persons to be married, at least seven days before the date on which they wish the banns to be published for the first time, deliver or cause to be delivered to him a notice in writing, dated on the day on which it is so delivered, stating the christian name and surname and the place of residence of each of them, and the period during which each of them has resided at his or her place of residence.

**10. Publication of banns commenced in one church and completed in another**

- (1) Where the publication of banns of matrimony has been duly commenced in any church, the publication may be completed in the same church or in any other church which, by virtue of the Union of Benefices Measure 1923 or the New Parishes Measure 1943, has at the time of the completion taken the place of the first-mentioned church for the purpose of publication of banns of matrimony either generally or in relation to the parties to the intended marriage.
- ...

**11. Certificates of publication of banns**

- (1) Where a marriage is intended to be solemnized after the publication of banns of matrimony and the persons to be married do not reside in the same parish or other ecclesiastical district, a clergyman shall not solemnize the marriage in the parish or district in which one of those persons resides unless there is produced to him a certificate that the banns have been published in accordance with the provisions of this Part of this Act in the parish or other ecclesiastical district in which the other person resides.
- (2) Where a marriage is intended to be solemnized in a church or chapel of a parish or other ecclesiastical district in which neither of the persons to be married resides, after the publication of banns therein by virtue of subsection (4) of section six of this Act, a clergyman shall not solemnize the marriage unless there is produced to him—
  - (a) if the persons to be married reside in the same parish or other ecclesiastical district, a certificate that the banns have been published in accordance with the provisions of this Part of this Act in that parish or district; or

- (b) if the persons to be married do not reside in the same parish or other ecclesiastical district, certificates that the banns have been published as aforesaid in each parish or district in which one of them resides.

...

- (4) Any certificate required under this section shall be signed by the incumbent or minister in charge of the building in which the banns were published or by a clergyman nominated in that behalf by the bishop of the diocese.

## 12. Solemnization of marriage after publication of banns

- (1) Subject to the provisions of this Part of this Act, where banns of matrimony have been published, the marriage shall be solemnized in the church or chapel or, as the case may be, one of the churches or chapels in which the banns have been published.
- (2) Where a marriage is not solemnized within three months after the completion of the publication of the banns, that publication shall be void and no clergyman shall solemnize the marriage on the authority thereof.

### *Marriage by common licence*

## 15. Places in which marriages may be solemnized by common licence

- (1) Subject to the provisions of this Part of this Act, a common licence shall not be granted for the solemnization of a marriage in any church or chapel other than—
- (a) the parish church of the parish, or an authorised chapel of the ecclesiastical district, in which one of the persons to be married has had his or her usual place of residence for fifteen days immediately before the grant of the licence; or
- (b) a parish church or authorised chapel which is the usual place of worship of the persons to be married or of one of them.
- (2) For the purposes of this section, any parish in which there is no parish church or chapel belonging thereto or no church or chapel in which divine service is usually solemnized every Sunday, and any extra-parochial place which has no authorised chapel, shall be deemed to belong to any adjoining parish or chapelry.

## 16. Provisions as to common licences

- (1) A common licence shall not be granted unless one of the persons to be married has sworn before a person having authority to grant such a licence—
- (a) that he or she believes that there is no impediment of kindred or alliance or any other lawful cause, nor any suit commenced in any court, to bar or hinder the solemnizing of the marriage in accordance with the licence;
- (b) that one of the persons to be married has had his or her usual place of residence in the parish or other ecclesiastical district in which the marriage is to be solemnized for fifteen days immediately before the grant of the licence or that the parish church or authorised chapel in which the marriage is to be solemnized is the usual place of worship of those persons or of one of them;
- (c) where one of the persons to be married is a child and is not a widower or widow, that the consent of the person or persons whose consent to the marriage is required under section three of this Act has been obtained, that the necessity of obtaining any such consent has been dispensed with under that section, that the court has consented to the marriage under that section, or that there is no person whose consent to the marriage is so required.
- (1A) A common licence shall not be granted for the solemnization of a marriage mentioned in subsection (2) of section 1 of this Act unless—
- (a) the person having authority to grant the licence is satisfied by the production of evidence that both the persons to be married have attained the age of twenty-one; and
- (b) he has received a declaration in writing made by each of those persons specifying their affinal relationship and declaring that the younger of those persons has not at any time before attaining the age of eighteen been a child of the family in relation to the other.
- (1B) . . .
- (2) Subject to subsection (2A) of this section, if any caveat is entered against the grant of a common licence, the caveat having been duly signed by or on behalf of the person by whom it is entered and stating his place of residence and the ground of objection on which

the caveat is founded, no licence shall be granted until the caveat or a copy thereof is transmitted to the ecclesiastical judge out of whose office the licence is to issue, and the judge has certified to the registrar of the diocese that he has examined into the matter of the caveat and is satisfied that it ought not to obstruct the grant of the licence, or until the caveat is withdrawn by the person who entered it.

- (2A) Where in the case of a marriage mentioned in subsection (2) of section 1 of this Act a caveat is entered under subsection (2) of this section on the ground that the persons to be married have not both attained the age of twenty-one or that one of those persons has at any time before attaining the age of eighteen been a child of the family in relation to the other, then, notwithstanding that the caveat is withdrawn by the person who entered it, no licence shall be issued unless the judge has certified that he has examined into that ground of objection and is satisfied that the ground ought not to obstruct the grant of the licence.
- (2B) In the case of a marriage mentioned in subsection (2) of section 1 of this Act, one of the persons to be married may apply to the ecclesiastical judge out of whose office the licence is to issue for a declaration that, both those persons having attained the age of twenty-one and the younger of those persons not having at any time before attaining the age of eighteen been a child of the family in relation to the other, there is no impediment of affinity to the solemnization of the marriage; and where any such declaration is obtained the common licence may be granted notwithstanding that no declaration has been made under the said subsection (1A).
- (3) Where a marriage is not solemnized within three months after the grant of a common licence, the licence shall be void and no clergyman shall solemnize the marriage on the authority thereof.

...

*Marriage under superintendent registrar's certificate*

**17. Marriage under superintendent registrar's certificate**

A marriage according to the rites of the Church of England may be solemnized on the authority of certificates of a superintendent registrar in force under Part III of this Act in any church or chapel in which banns of matrimony may be published or in the case of a marriage in pursuance of section 26(1)(dd) of this Act the place specified in the notices of marriage and certificates as the place where the marriage is to be solemnized.

Provided that a marriage shall not be solemnized as aforesaid in any such church or chapel without the consent of the minister thereof or wherever the marriage is solemnized by any person other than a clergyman.

...

*Miscellaneous provisions*

**22. Witnesses**

All marriages solemnized according to the rites of the Church of England shall be solemnized in the presence of two or more witnesses in addition to the clergyman by whom the marriage is solemnized.

**24. Proof of residence not necessary to validity of marriage by banns or common licence**

- (1) Where any marriage has been solemnized after the publication of banns of matrimony, it shall not be necessary in support of the marriage to give any proof of the residence of the parties or either of them in any parish or other ecclesiastical district in which the banns were published, and no evidence shall be given to prove the contrary in any proceedings touching the validity of the marriage.
- (2) Where any marriage has been solemnized on the authority of a common licence, it shall not be necessary in support of the marriage to give any proof that the usual place of residence of one of the parties was for fifteen days immediately before the grant of the licence in the parish or other ecclesiastical district in which the marriage was solemnized, and no evidence shall be given to prove the contrary in any proceedings touching the validity of the marriage.

**25. Void marriages**

If any persons knowingly and wilfully intermarry according to the rites of the Church of England (otherwise than by special licence)—

- (a) except in the case of a marriage in pursuance of section 26(1)(dd) of this Act, in any place other than a church or other building in which banns may be published;
- (b) without banns having been duly published, a common licence having been obtained, or certificates having been duly issued under Part III of this Act by a superintendent registrar to whom due notice of marriage has been given; or
- (c) on the authority of a publication of banns which is void by virtue of subsection (3) of section three or subsection (2) of section twelve of this Act, on the authority of a common licence which is void by virtue of subsection (3) of section sixteen of this Act, or on the authority of certificates of a superintendent registrar which are void by virtue of subsection (2) of section thirty-three of this Act;
- (d) in the case of a marriage on the authority of certificates of a superintendent registrar, in any place other than the church building or other place specified in the notices of marriage and certificates as the place where the marriage is to be solemnized, or if they knowingly and wilfully consent to or acquiesce in the solemnization of the marriage by any person who is not in Holy Orders, the marriage shall be void.

**PART III****MARRIAGE UNDER SUPERINTENDENT REGISTRAR'S CERTIFICATE***Issue of certificates***26. Marriages which may be solemnized on authority of superintendent registrar's certificate**

- (1) Subject to the provisions of this Part of this Act, the following marriages may be solemnized on the authority of two certificates of a superintendent registrar—
  - (a) a marriage in a registered building according to such form and ceremony as the persons to be married see fit to adopt;
  - (b) a marriage in the office of a superintendent registrar;
  - (bb) a marriage on approved premises;
  - (c) a marriage according to the usages of the Society of Friends (commonly called Quakers);
  - (d) a marriage between two persons professing the Jewish religion according to the usages of the Jews;
  - (dd) the marriage (other than a marriage in pursuance of paragraph (c) or (d) above) of a person who is house-bound or is a detained person at the place where he or she usually resides;
  - (e) a marriage according to the rites of the Church of England in any church or chapel in which banns of matrimony may be published.

**27. Notice of marriage**

- (1) Where a marriage is intended to be solemnized on the authority of certificates of a superintendent registrar, notice of marriage in the prescribed form shall be given—
  - (a) if the persons to be married have resided in the same registration district for the period of seven days immediately before the giving of the notice, by each of those persons to the superintendent registrar of that district;
  - (b) if the persons to be married have not resided in the same registration district for the said period of seven days as aforesaid, by either of those persons to the superintendent registrar of the registration district in which he or she resided for that period.
- (3) A notice of marriage shall state the name and surname, marital status, occupation, place of residence and nationality of each of the persons to be married and in the case of a marriage intended to be solemnized at a person's residence in pursuance of section 26(1)(dd) of this Act, which residence is to be the place of solemnization of the marriage and, in any other case, the church or other building or premises in or on which the marriage is to be solemnized and—
  - (a) shall state the period, not being less than seven days, during which each of the persons to be married has resided in his or her place of residence;

- (4) The superintendent registrar shall file all notices of marriage and keep them with the records of his office, and shall subject to section 27A of this Act also forthwith enter the particulars given in every such notice, together with the date of the notice and the name of the person by whom the notice was given, in a book (in this Act referred to as 'the marriage notice book') furnished to him for that purpose by the Registrar General, and the marriage notice book shall be open for inspection free of charge at all reasonable hours.
- (5) If the persons to be married wish to be married in the presence of a registrar in a registered building for which an authorised person has been appointed, they shall, at the time when notice of marriage is given to the superintendent registrar under this section, give notice to him that they require a registrar to be present at the marriage.

...

#### **27A. Additional information required in certain cases**

- (1) This section applies in relation to any marriage intended to be solemnized at a person's residence in pursuance of section 26(1)(dd) of this Act, and in the following provisions of this section that person is referred to as 'the relevant person'.
- (2) Where the relevant person is not a detained person, each notice of marriage required by section 27 of this Act shall be accompanied by a medical statement relating to that person made not more than fourteen days before the date on which the notice is given.
- (3) Where the relevant person is a detained person, each notice of marriage required by section 27 of this Act shall be accompanied by a statement made in the prescribed form by the responsible authority not more than twenty-one days before the date on which notice of the marriage is given under section 27—
  - (a) identifying the establishment where the person is detained; and
  - (b) stating that the responsible authority has no objection to that establishment being specified in the notice of marriage as the place where that marriage is to be solemnized.
- (4) Each person who gives notice of the marriage to the superintendent registrar in accordance with section 27 of this Act shall give the superintendent registrar the prescribed particulars, in the prescribed form, of the person by or before whom the marriage is intended to be solemnized.
- (5) The superintendent registrar shall not enter the particulars given in the marriage notice book until he has received the statement and the particulars required by subsections (2) or (3) and (4) of this section.
- (6) The fact that a superintendent registrar has received a statement under subsection (2) or (as the case may be) (3) of this section shall be entered in the marriage notice book together with the particulars given in the notice of marriage and any such statement together with the form received under subsection (4) of this section shall be filed and kept with the records of the office of the superintendent registrar or, where notice of marriage is required to be given to two superintendent registrars, of each of them.
- (7) In this section—
 

'medical statement', in relation to any person, means a statement made in the prescribed form by a registered medical practitioner that in his opinion at the time the statement is made—

  - (a) by reason of illness or disability, he or she ought not to move or be moved from the place where he or she is at the time, and
  - (b) it is likely that it will be the case for at least the following three months that by reason of the illness or disability he or she ought not to move or be moved from that place; and

'registered medical practitioner' has the meaning given by Schedule 1 to the Interpretation Act 1978; and

'responsible authority' means—

  - (a) if the person is detained in a hospital (within the meaning of Part II of section 145(1) of that Act); or
  - (b) if the person is detained in a prison or other place to which the Prison Act 1952 applies, the governor or other officer for the time being in charge of that prison or other place.

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