

Changes to legislation: Civil Partnership Act 2004, Cross Heading: Marriage Act 1949 (c. 76) is up to date with all changes known to be in force on or before 09 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 27

MINOR AND CONSEQUENTIAL AMENDMENTS: GENERAL

Marriage Act 1949 (c. 76)

- 13 (1) Amend section 1 (marriages within prohibited degrees) as follows.
- (2) In subsection (1), for the words from “between a man” to “the said Part I,” substitute “between a person and any person mentioned in the list in Part 1 of Schedule 1”.
- (3) In subsection (2), for the words from “between a man” to “the said Part II,” substitute “between a person and any person mentioned in the list in Part 2 of Schedule 1”.
- (4) ^{F1}
- (5) ^{F1}
- (6) ^{F1}

Textual Amendments

- F1** Sch. 27 para. 13(4)-(6) repealed (1.3.2007) by [The Marriage Act 1949 \(Remedial\) Order 2007 \(S.I. 2007/438\)](#), [art. 3\(c\)](#)

Commencement Information

- I1** Sch. 27 para. 13 fully in force (so far as unrepealed); Sch. 23 para. 13 not in force at Royal Assent see s. 263; Sch. 27 para. 13(1)-(3) in force at 5.12.2005 and Sch. 27 para. 13(6) in force at 5.12.2005 for specified purposes by [S.I. 2005/3175](#), [art. 2](#)

- 14 In section 27 (notice of marriage), in subsection (3), for “the name and surname, marital status, occupation, place of residence and nationality of each of the persons to be married” substitute “the name and surname, occupation, place of residence and nationality of each of the persons to be married, whether either of them has previously been married or formed a civil partnership and, if so, how the marriage or civil partnership ended”.

Commencement Information

- I2** Sch. 27 para. 14 wholly in force at 5.12.2005; Sch. 27 para. 14 not in force at Royal Assent see s. 263; Sch. 27 para. 14 in force for certain purposes at 15.4.2005 by [S.I. 2005/1112](#), [art. 2](#), [Sch. 1](#) and Sch. 27 para. 14 in force otherwise at 5.12.2005 by [S.I. 2005/3175](#), [art. 2\(2\)](#)

- 15 In section 28A (power to require evidence), for subsection (3) substitute—
- “(3) “Specified evidence”, in relation to a person, means such evidence as may be specified in guidance issued by the Registrar General—

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- (a) of the person’s name and surname,
 - (b) of the person’s age,
 - (c) as to whether the person has previously been married or formed a civil partnership and, if so, as to the ending of the marriage or civil partnership, and
 - (d) of the person’s nationality.”
- 16 In section 78(1) (interpretation), in the definition of “child”, after “ “child”” insert “ , except where used to express a relationship, ”.
- 17 For Schedule 1 (kindred and affinity) substitute—

“SCHEDULE 1

KINDRED AND AFFINITY

PART 1

PROHIBITED DEGREES: KINDRED

- 1 (1) The list referred to in section 1(1) is—
- Adoptive child
 - Adoptive parent
 - Child
 - Former adoptive child
 - Former adoptive parent
 - Grandparent
 - Grandchild
 - Parent
 - Parent’s sibling
 - Sibling
 - Sibling’s child
- (2) In the list “sibling” means a brother, sister, half-brother or half-sister.

PART 2

DEGREES OF AFFINITY REFERRED TO IN SECTION 1(2) AND (3)

- 2 The list referred to in section 1(2) is as follows—
- Child of former civil partner
 - Child of former spouse
 - Former civil partner of grandparent
 - Former civil partner of parent
 - Former spouse of grandparent
 - Former spouse of parent
 - Grandchild of former civil partner
 - Grandchild of former spouse

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PART 3

DEGREES OF AFFINITY REFERRED TO IN SECTION 1(4) AND (5)

- 3 The list referred to in section 1(4) is as follows—
- Parent of former spouse
 - Parent of former civil partner
 - Former spouse of child
 - Former civil partner of child.”

Commencement Information

- I3** Sch. 27 para. 17 partly in force at 5.12.2005; Sch. 27 para. 17 not in force at Royal Assent see s. 263; Sch. 27 para. 17 in force for certain purposes at 5.12.2005 by [S.I. 2005/3175](#), [art. 2\(1\)\(5\)](#), [Sch. 1](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 102(8A) inserted by [2023 asp 3 s. 56\(2\)](#)
- s. 103(10) inserted by [2023 asp 3 s. 56\(5\)](#)
- s. 108(5) inserted by [2023 asp 3 s. 56\(8\)](#)
- s. 213(1A) inserted by [2013 c. 30 Sch. 2 para. 5\(2\)](#)