



# Marriage (Same Sex Couples) Act 2013

## 2013 CHAPTER 30

### PART 1

#### MARRIAGE OF SAME SEX COUPLES IN ENGLAND AND WALES

##### *Extension of marriage*

#### **1 Extension of marriage to same sex couples**

- (1) Marriage of same sex couples is lawful.
- (2) The marriage of a same sex couple may only be solemnized in accordance with—
  - (a) Part 3 of the Marriage Act 1949,
  - (b) Part 5 of the Marriage Act 1949,
  - (c) the Marriage (Registrar General's Licence) Act 1970, or
  - (d) an Order in Council made under Part 1 or 3 of Schedule 6.
- (3) No Canon of the Church of England is contrary to section 3 of the Submission of the Clergy Act 1533 (which provides that no Canons shall be contrary to the Royal Prerogative or the customs, laws or statutes of this realm) by virtue of its making provision about marriage being the union of one man with one woman.
- (4) Any duty of a member of the clergy to solemnize marriages (and any corresponding right of persons to have their marriages solemnized by members of the clergy) is not extended by this Act to marriages of same sex couples.
- (5) A “member of the clergy” is—
  - (a) a clerk in Holy Orders of the Church of England, or
  - (b) a clerk in Holy Orders of the Church in Wales.

#### **Commencement Information**

**II** [S. 1](#) in force at 13.3.2014 by [S.I. 2014/93](#), [art. 3\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Cross Heading: Extension of marriage.