



Marriage (Same Sex Couples) Act 2013

2013 CHAPTER 30

PART 1

MARRIAGE OF SAME SEX COUPLES IN ENGLAND AND WALES

Part 3 of the Marriage Act 1949

5 Opt-in: other religious ceremonies

After section 26A of the Marriage Act 1949 insert—

“26B Opt-in to marriage of same sex couples: other religious ceremonies

- (1) A marriage may, in any of the following cases, be solemnized on the authority of two certificates of a superintendent registrar.
- (2) Case A is where—
 - (a) the marriage is of a same sex couple according to the usages of the Society of Friends (commonly called Quakers), and
 - (b) the relevant governing authority has given written consent to such marriages of same sex couples.
- (3) For that purpose “relevant governing authority” means the recording clerk for the time being of the Society of Friends in London.
- (4) Case B is where—
 - (a) the marriage is of a same sex couple professing the Jewish religion according to the usages of the Jews, and
 - (b) the relevant governing authority has given written consent to such marriages of same sex couples.
- (5) For that purpose the meaning of “relevant governing authority” is to be determined in accordance with this table—

Changes to legislation: There are currently no known outstanding effects for the Marriage (Same Sex Couples) Act 2013, Section 5. (See end of Document for details)

<i>The “relevant governing authority” is...</i>	<i>...if the marriage falls to be registered by...</i>
the Chief Rabbi of the United Hebrew Congregations of the Commonwealth	the secretary of a synagogue certified under paragraph (a) of the relevant definition (certification by the President of the Board of Deputies)
the person or persons duly recognised by the members of—	— either the secretary of the West London Synagogue, as certified under paragraph (b) of the relevant definition — or the secretary of another synagogue in a case where:
(i) the West London Synagogue of British Jews (“the West London Synagogue”), and	(i) the secretary is certified under paragraph (d) of the relevant definition by the secretary of the West London Synagogue, and
(ii) the other synagogues that are constituents of or affiliated to the Movement for Reform Judaism	(ii) the synagogue is one of those which are constituents of or affiliated to the Movement for Reform Judaism
the person or persons duly recognised by the members of—	— either the secretary of the St. John's Wood Synagogue, as certified under paragraph (c) of the relevant definition — or the secretary of another synagogue in a case where:
(i) the Liberal Jewish Synagogue, St. John's Wood (“the St. John's Wood Synagogue”), and	(i) the secretary is certified under paragraph (d) of the relevant definition by the secretary of the St. John's Wood Synagogue, and
(ii) the other synagogues that are constituents of or affiliated to Liberal Judaism	(ii) the synagogue is one of those which are constituents of or affiliated to Liberal Judaism
the person or persons duly recognised by the members of the synagogue by whose secretary the marriage falls to be registered	the secretary of a synagogue certified under paragraph (d) of the relevant definition (certification by the secretary of the West London Synagogue or the secretary of the St. John's Wood Synagogue) in a case where the synagogue is not one of those which are constituents of or affiliated to:
	(i) the Movement for Reform Judaism, or (ii) Liberal Judaism

In that table—

- (a) “relevant definition” means the definition of “secretary of a synagogue” in section 67;
- (b) a reference to a person or persons being duly recognised is a reference to the person or persons being recognised for the purpose of giving consent for the purposes of this section.

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- (6) Case C is where—
- (a) the marriage is of a same sex couple according to religious rites or usages (other than the rites of the Church of England),
 - (b) one or each of the couple is house-bound or a detained person,
 - (c) the marriage is at the usual place of residence of the house-bound or detained person or persons, and
 - (d) the relevant governing authority has given written consent to marriages of same sex couples according to those religious rites or usages.
- (7) For that purpose—
- “relevant governing authority” means the person or persons recognised by the members of the relevant religious organisation as competent for the purpose of giving consent for the purposes of this section;
- “relevant religious organisation” means the religious organisation according to whose rites or usages the marriage is to be solemnized.
- (8) Subsection (6) does not authorise a marriage that may be solemnized under subsection (2) or (4).”.

Commencement Information

II S. 5 in force at 13.3.2014 by S.I. 2014/93, art. 3(c)

Changes to legislation:

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