

## **NOTICE TO CLERGY**

### **Forthcoming changes to the marriage preliminaries**

You will be aware that the Church of England Marriage Measure 2008 will come into force from 1 October 2008. The House of Bishops has issued guidance in accordance with Section 3 of that Measure.

I appreciate that the guidance is several pages long but it is reader friendly and I urge you to read the same in its entirety. Under the Measure as a minister of the parish you now have a statutory responsibility to satisfy yourself as to whether an applicant has a qualifying connection with the parish or otherwise. In discharging that responsibility you should in all cases encourage applicants to complete the recommended form (the form) detailed at Appendix 1 of the guidance. If you are not fully satisfied with the information provided by the applicant on the form you may then at your discretion *request* a statutory declaration by way of additional evidence. The form is available to download from the diocesan website and a copy is also attached for photocopying.

You will of course be aware that you may seek the advice of the Registry at any point and please feel free to do so as the need arises. If you wish to email me with any queries my email is [jm@mandioreg.co.uk](mailto:jm@mandioreg.co.uk) and if those queries are anonymised and of general application I shall arrange with the diocesan Director of Communications to place the query and answer on the diocesan website by way of additional information.

### **Aide memoire on the requirements of Common Licences involving foreign nationals**

The law relating to common licences has also been extended by the new Measure to include eligibility based on a qualifying connection.

By way of summary from October 2008 the requirements for a common licence are that a person should:

- have his or her *usual* place of residence in the parish where the marriage is to take place at least 15 days before the date on which the affidavit in support is sworn or
- have his or her name on the Church electoral roll for the parish in which the marriage is to take place or
- have a qualifying connection with the parish where the marriage is to take place

Surrogates may issue common licences for British nationals but the guidance from the Faculty Office recommending that foreign nationals should be referred to the Registry remains extant.

This being so you should advise the couple that the current fee payable for a common licence is £75.00 in cash (revised annually) and the documents required to be produced to me at that appointment are:

- ❑ a letter from you confirming that they satisfy either of the residency or electoral roll requirements for a common licence and detailing the full name and address of the parties and their marital status or
- ❑ where the application is based on a qualifying connection the form duly completed with all relevant documents in support
- ❑ Passports or Home Office ID cards
- ❑ Council Tax bill to evidence place of residence or if not available at least two other documents from those listed at paragraph 52 of the guidance. Please note that mobile telephone accounts are not acceptable.
- ❑ a letter from the relevant foreign embassy confirming that the marriage will be recognised as legal in the home country. This requirement applies to all countries except those of the old Commonwealth, EU and the USA.

Please also advise the parties that a common licence is discretionary and I shall require *both* of them to attend at the Registry with all the requested documents before their application will be considered. In all cases the parties should be advised not to make arrangements for the wedding until after the licence is granted.

### **Divorced persons**

The House of Bishops guidance should be followed at all times and please remember that a decree absolute should be produced for *every* marriage. Nationally there have been occasions where only the most recent decree absolute has been produced.

Dated 01 August 2008

Diocesan Registry