## **ANGLICAN MARRIAGE**

# CHANGES TO LAW AND PROCEDURE





## WHAT WILL NOT CHANGE?

## WHAT WILL NOT CHANGE?

- The officiating minister remains legally responsible and must ensure all legal requirements are met for Church of England marriages
- 2. Due diligence to identify the parties
  - Valid Passport
  - Specified Evidence Checklist
- 3. The three ecclesiastical preliminaries (Canon B34):
  - Banns
  - Common licence
  - Special licence



## SPECIFIED EVIDENCE CHECKLIST

#### A. EVIDENCE OF NATIONALITY

A valid passport showing the individual is a British, EEA or Swiss national

Passport number.....expiry date.....(Groom)

A valid national identity card issued by an EEA state or Switzerland

A certificate of registration as a British citizen granted by the Secretary of State

#### AND

Another document to establish current use of the name and surname referred to on the certificate of registration (or evidence of the change of name e.g. deed poll, previous marriage certificate, decree absolute) [Complete Section B overleaf]

A certificate of naturalisation as a British citizen granted by the Secretary of State

#### AND

Another document to establish current use of the name and surname referred to on the certificate of naturalisation (or evidence of the change of name e.g. deed poll, previous marriage certificate, decree absolute) [Complete Section B overleaf]

Where none of the above are available and the individual was born in the United Kingdom before 1st January 1983

• a United Kingdom birth certificate

#### AND

another document to establish current use of the name and surname referred to on the certificate (or evidence
of the change of name e.g. deed poll, previous marriage certificate, decree absolute)/Complete Section B
overleaf/

Where none of the above are available and the individual was born in the United Kingdom after 1st January 1983 but before 1st July 2006

• a full United Kingdom birth certificate showing the parents details

#### AND

 another document to establish current use of the name and surname referred to on the certificate (or evidence of the change of name)

[Complete Section B overleaf]

#### AND

- evidence of either of the parents' British citizenship or settled status at the time of birth (e.g. a passport describing the relevant parent as a British citizen or indicating that he or she then had indefinite leave to enter or remain)
- if British citizenship is claimed through the father, the parents' marriage certificate

This is an extract of the form to be used for couples who are to marry before the end of June 2021.

A full copy of the form can be found on the diocesan website in the legal documents section.

BEWARE!



## **BEST PRACTICE**

- Meet the couple regularly to prepare them for marriage;
- Check their nationality and identity;
- Establish the relevant preliminary and qualification to marry in your church;
- Keep records; and
- Seek advice when uncertain of the legal requirements.



## WHAT WILL CHANGE?

## **TWO KEY DATES IN 2021......**



# THE CIVIL PARTNERSHIPS, MARRIAGES AND DEATHS (REGISTRATION ETC.) ACT 2019

Marriage registration

(1)The Secretary of State may, by regulations, amend the Marriage Act 1949 ("the 1949 Act") to provide for a system whereby details relating to marriages in England and Wales are recorded in documents used as part of the procedure for marriage, and entered into and held in a central register which is accessible in electronic form.







CHANGES TO THE WAY MARRIAGES ARE REGISTERED

## WHAT WILL CHANGE?

- 1. Closure of existing registers
- 2. Online registration
- 3. Complete and return a Marriage Document/Schedule
- 4. Correction of errors
- 5. Searches in registers
- 6. Reconciliation



## **CLOSURE OF EXISTING REGISTERS**

- Submit quarterly/nil returns to cover the final quarter up to 4 May 2021;
- Cancel all unused entries in the marriage registers using registration ink;
- One closed register will be retained in the church (or by the diocesan archivist) and the duplicate returned to the local registration service together with unused certificates, quarterly returns and occasional copy forms; and
- Any completely unused (i.e. blank) set of duplicate marriage registers, should be returned to the local register office where both registers will be destroyed.



## **CLOSURE OF EXISTING REGISTERS 2**

The local register office will supply labels stating the following:-

"Due to the introduction of the Civil Partnerships, Marriages and Deaths (Registration etc.) Act on 4 May 2021, this marriage register book has been closed."

On 4 May in the page immediately after the last completed entry in the current duplicate marriage registers a diagonal line in registration ink should be drawn through every unused entry and then the label should be stuck on the front of both of the open duplicate registers.

An example is on the next slide.



1	2	
	_	

Ma	rriage sol	emnized a	at			in the pa	rish of	
in th	ıe	1111						
Colu	mns:- 1	2	3	4	5	6	7 /	8
No.	When married	Name and surname	Age	Condition	Rank or profession	Residence at the time of marriage	Father's name and surname	Rank or profession of father
			years					
			years					
Marr	ied in the				according to	the rites and	ceremonies	of the
after				by me,	P100 100 100 100 100 100 100 100 100 100			
was s	marriage olemnized een us,	1		} in the pres	sence of {	}		

The register together with all other existing registration stock should then be delivered to or collected by the local registration service in accordance with existing arrangements or an agreed service point detailed in the later slide.



# RETURN OF REGISTRATION STOCK (REGISTERS, QUARTERLY COPIES, NIL RETURNS AND CERTIFICATES)

You should continue with the existing arrangements in place with the local register office for the delivery/collection of quarterly/nil returns and filled marriage registers SUBJECT to any changes due to current COVID restrictions.

Always contact the local register office to check their current arrangements before returning any stock.

When returning secure stock such as certificates a secure method of delivery should be used and for that reason, delivery in person may be the most suitable option.



# RETURN OF REGISTRATION STOCK (REGISTERS, QUARTERLY COPIES, NIL RETURNS AND CERTIFICATES) 2

Alternatively the registers and the associated stock should be delivered or sent to an service point within the registration district **agreed locally with the superintendent registrar.** 

Clergy should liaise with registration officers to ascertain the relevant service point\*

Once received registration staff will destroy the unused registration certificates as confidential waste. The duplicate register will be retained by the superintendent registrar with the records of his/her office.

## **ONLINE REGISTRATION**

- All existing paper registers will be replaced by RON (Register Online);
- Clergy will not issue marriage certificates or register marriages. This will be done by the local registration service using RON;
- The local register office will have a reconciliation process to match the documentation issued to the marriages which have been solemnised; and
- The basis for the registration of the marriage will be a document called a 'marriage document' or 'marriage schedule'.



## MARRIAGE DOCUMENT OR SCHEDULE

- One per couple and completed in registration ink
- Content and format changes:
  - A4 portrait not landscape;
  - 'Occupation' replaces 'Rank/Profession';
  - 'Date of birth' replaces 'Age';
  - Possible for up to 4 parent's details to be entered (including birth, adoptive or step-parents); and
  - Possible to have up to 6 witnesses details recorded, even though the legal requirement for 2 witnesses remains unchanged.

## MARRIAGE DOCUMENT (ECCLESIASTICAL PRELIMINARIES)

 A 'marriage document' is prepared by the officiating minister before the service for marriages based on ecclesiastical preliminaries.

Available either as a blank document for completion by hand or to download as a type and print version from the LRSA website or from the Church of England Evangelism and Discipleship Team, who are providing a printable marriage document as part of the Life Events Diary.

Type and print is preferable.

 At the service the marriage document is signed by the couple, their witnesses and the officiating minister.





HOME FEATURES - REGISTER TUTORIALS - ABOUT - IKNOW CHURCH-



## CHANGES TO MARRIAGE REGISTRATION – YOUR LED IS HERE TO HELP

HOME > ABOUT > NEWS

### () ABOUT

GDPR MYTH BUSTER

MEET THE TEAM

**NEWS** 

**NEWSLETTER** 

SECURITY

TERMS AND

CONDITIONS

As you will be aware, there are significant changes to the processes for registering marriages coming into effect on May 4th this year. In line with the regulations, your LED is also changing. From 4th May, you will be able to enter up to four parents for the bride and up to four parents for the groom. You'll also be able to print the Marriage Document, which will be used in the ceremony and sent to the register office afterwards, direct from the LED. For further information on the new regulations and what they mean for you, please contact your Archdeacon or Diocesan Secretary.





#### MARRIAGE DOCUMENT

Marriage document issued b	y(name) .	(designation)			
in the parish of in the					
Date and place of marriage					
2. Name and surname					
3. Date of birth					
4. Condition					
5. Occupation					
6. Residence at time of marriage					
7. Mother/Father/Parent name surname and occupation					
8. Marriage solemnized according to the rites and ceremonies of the					
by / after *by me. * delete as appropriate					
9. Signature of parties married					
10. Name and signature of witnesses					
11. Signature of the member of the clergy by whom the marriage was solemnized		e) (signature) (designation)			

Prior to the marriage ceremony, all details will need to be checked with couples e.g.: additional parents' names and number of witnesses to be recorded.



#### MARRIAGE DOCUMENT

Marriage document issued by Edward Cargill (name) Vicar (designation)

in the parish of St Luke, Chelsea, in the Royal Borough of Kensington and Chelsea

marriage	5 <sup>th</sup> January 2021 in the Parish Church of	f St Luke's Chelsea, Sydney Street SW3
2. Name and surname	Francis George DEBENHAM	Maud Ellen LATIMER
B. Date of birth	10 <sup>th</sup> August 1975	15 <sup>th</sup> September 1977
. Condition	Single	Widow
. Occupation	Earl of Barford	Dowager Marchioness of Chafont
6. Residence at time of marriage	Grately Manor, Suffolk	14 Belmont Place, London SW
7. Mother/Father/Parent name surname and occupation	Frank William DEBENHAM (deceased) Earl of Barford Grace DEBENHAM (deceased) Lady Barford	Hugh Geoffrey COLEMAN Baronet Margaret COLEMAN (deceased)
_	cording to the rites and ceremonies of the Chur	rch of England
by / after * Licence by me. *		
	FG Debenham	M E Latimer
Signature of parties married	F G Debenham  Hewry Coleman H Coleman Emily  Louisa Brooks L Brooks	
Signature of parties married      Name and signature	Henry Coleman H Coleman Emily	



## **MARRIAGE SCHEDULE** (SECULAR PRELIMINARY)

- This will replace the current Superintendent Registrar's certificate (SRC) which is issued following giving notice of marriage at the register office.
- A 'marriage schedule' will be prepared and partly completed (Sections 1-7) by the local register office for marriages which cannot proceed using ecclesiastical preliminaries i.e. where notice of marriage is given.
- It is the couple's responsibility to provide this to the officiating minister before the marriage service.
- At the service the marriage schedule is signed by the couple, their witnesses and the officiating minister.



Date / Time

#### MARRIAGE SCHEDULE

System No.

Marriage schedule issued by(name)(designation) in the registration					
district of	district of				
The issue of this schedule h	nas not been forbidden by any person authorise	ed to forbid the issue thereof.			
The waiting period in respec	ect of both notices of marriage has expired, or	has been reduced on the authority of the			
Registrar General. The ma	arriage must be solemnized on or before				
Date and place of marriage					
2. Name and surname					
3. Date of birth					
4. Condition					
5. Occupation					
6. Residence at time of marriage					
7. Mother/Father/Parent name surname and occupation					
8. Marriage solemnized according to the rites and ceremonies of/usages of *					
in the parish of*					
(designation)					
*delete as appropriate  9. Signature of parties					
married 10. Name and signature					
of witnesses					
11. Signature of person authorised to sign the					
schedule					



## MARRIAGE DOCUMENT/SCHEDULE 2

- Within 21 days of the wedding, the officiating minister must return the completed marriage document/schedule to the local register office for registration. A marriage certificate cannot be issued otherwise.
- The local superintendent registrar will then record the details and issue a marriage certificate (for which there will be a fee) within 7 days of receipt of the marriage document/schedule.
- The local register office will send a maximum of two eight day written notices if they have not received the marriage document/schedule within 21 days.
- After 37 days the officiating minister may be charged with an offence, and liable on summary conviction to a fine not exceeding level 3 on the standard scale [£1,000].

## **ERRORS TO MARRIAGE DOCUMENT/SCHEDULE**

- Sections 1-7 are completed before the ceremony and any minor errors can therefore be manually corrected;
- Sections 8-11 are signed by the parties after the ceremony and, again, any minor errors which do not cast doubt upon the identity or status of the parties can be corrected and initialled by the officiating minister and the couple;
- Once the marriage document has been returned to the local register office, all amendments will require a formal application to be made and a fee will be payable.



## **SEARCHES IN THE REGISTER**

Searches may still be made in the registers retained in the church but if a duplicate certificate is required, this must be obtained from the local register office.



## RECONCILIATION OF RECORDS

 Keep a record of marriages to reconcile the number of marriage documents issued with the marriages that have actually taken place.

CHP are publishing a Register of Marriage Services in order to keep such record (available from 30 April).

- An informal numbering system is recommended such as a source code followed by 0001, 0002 etc. when returning the marriage documents to the local register office to aide in reconciliation.
- The local register office will require regular reconciliation returns to match the marriage documents issued by you with the information held at the local register office.





Search by title, author, keyword or ISBN

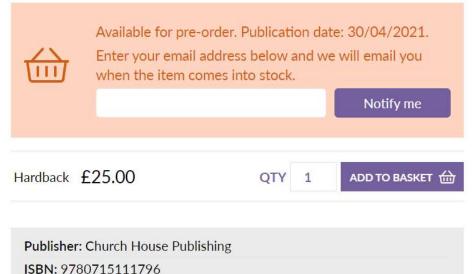
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Holy Week and Easter Live Lent Living in Love and Faith Prayers During Coronavirus Time to Pray





## Register of Marriage Services





Number of Pages: 128

Published: 30/04/2021

Width: 29.7 cm Height: 21 cm

#### Description

This register of marriage services allows churches to keep a record of all wedding ceremonies conducted, in line with the new requirements arriving in May 2021.

The requirement to make a record applies where a marriage has been solemnized according to the rites of the Church of England, in a church or chapel in which banns may be published, irrespective of the form of preliminary used.

It gives space to record:

- the date and place of the marriage;
- the forename and surname of each party;
- the date of birth of each party;
- the occupation of each party;
- the residence of each party at the time of marriage;
- the names of the party's parents (with space for up to four);
- the names of the witnesses;
- the name and signature of the minster who solemnized the marriage.



## WHAT DOES THIS MEAN FOR THE CLERGY?

- Clergy cannot issue the marriage certificate. Nor can they issue a certificate from any register held in the custody of the church. Searches may still be made in the registers but if a duplicate certificate is required, this must be obtained from the local register office.
- Formal marriage registers are no longer completed, although records will still be required for reconciliation purposes.
- A marriage document must be created or a marriage schedule provided **prior** to the date of marriage.



## WHAT DOES THIS MEAN FOR THE CLERGY? 2

- The completed marriage document must be returned to the register office within 21 days for the registration to take place in the electronic marriage register before a certificate can be issued.
- Parishes will no longer be required to complete quarterly returns for marriages.
  - However reconciliation returns will be required.
- All corrections to marriage certificate entries will be carried out by the registration officers or GRO.



## **ROLE OF CLERGY**

- Pre marriage checks and appropriate preliminary;
- Prepare the couple for marriage;
- Officiate at the marriage service;
- Lodge completed and signed marriage document or schedule with the local registration service.
- Keep accurate contemporaneous records

## THE MARRIAGE IS STILL LEGALLY CREATED BY THE COUPLE RECITING THE MARRIAGE VOWS.



## **GENERAL REGISTER OFFICE**





## Clergy

The Civil Partnerships, Marriages and Deaths (Registration Etc.) Act will modernise how marriages are registered for the first time since 1837, through the introduction of a marriage schedule system and registration in an electronic register.

The electronic register will be a more secure and more efficient system for keeping marriage records. It will also allow for the names of parents of the couple (mother / father / parent) to be included in the marriage entry and on marriage certificates.

The regulations which will make the required amendments to the Marriage Act 1949 have been laid in Parliament on 22 February 2021, and subject to approval, will come into force on 4 May 2021.

Please contact Irsaadmin@tsi.org.uk if you are experiencing any difficulties accessing the below.

## Closure Documents - Members of the Church of England / Church in Wales

The following document will provide you with guidance on how to close your marriage registers and how to manage the return of registers and stock to your local register office.

Click to download the MSS Clergy Closure Instruction (PDF).

The FAQ document below has been developed from the questions raised at previous training events and queries raised since discussions started in recent weeks. The General Register Office will continue to update the document as further queries are raised. The document has been broken down into topics for ease of reference but occasionally there may be some overlap.



## **GENERAL REGISTER OFFICE 2**

### What Next?

#### Training Material and guidance:

- · The Clergy Guidebook will be updated in advance of "go live"
- Regular Newsletters to be issued providing updates and guidance
- · Register Closure Instructions
- Support from the General Register Office and the Local Registration Service

B HM Passport Office

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Email:GROCasework@gro.gov.uk







# CHANGES TO PROCEDURES FOR MARRIAGES OF 'FOREIGN NATIONALS'

## MARRIAGES OF FOREIGN NATIONALS

- 1. Due diligence to identify the parties
  - Valid Passport
  - Specified Evidence Checklist
- 2. Foreign versus British national etc?
  - Pre 30 June 2021
  - Post 1 July 2021



## SPECIFIED EVIDENCE CHECKLIST

### A. EVIDENCE OF NATIONALITY

A valid passport showing the individual is a British, EEA or Swiss national

Passport number.....expiry date.....(Groom)

A valid national identity card issued by an EEA state or Switzerland

A certificate of registration as a British citizen granted by the Secretary of State

### AND

Another document to establish current use of the name and surname referred to on the certificate of registration (or evidence of the change of name e.g. deed poll, previous marriage certificate, decree absolute) [Complete Section B overleaf]

A certificate of naturalisation as a British citizen granted by the Secretary of State

#### AND

Another document to establish current use of the name and surname referred to on the certificate of naturalisation (or evidence of the change of name e.g. deed poll, previous marriage certificate, decree absolute) [Complete Section B overleaf]

Where none of the above are available and the individual was born in the United Kingdom before 1st January 1983

• a United Kingdom birth certificate

### AND

another document to establish current use of the name and surname referred to on the certificate (or evidence
of the change of name e.g. deed poll, previous marriage certificate, decree absolute)/Complete Section B
overleaf/

Where none of the above are available and the individual was born in the United Kingdom after 1st January 1983 but before 1st July 2006

• a full United Kingdom birth certificate showing the parents details

#### AND

 another document to establish current use of the name and surname referred to on the certificate (or evidence of the change of name)

[Complete Section B overleaf]

### AND

- evidence of either of the parents' British citizenship or settled status at the time of birth (e.g. a passport describing the relevant parent as a British citizen or indicating that he or she then had indefinite leave to enter or remain)
- if British citizenship is claimed through the father, the parents' marriage certificate

This is an extract of the form to be used for couples who are to marry before the end of June 2021.

A full copy of the form can be found on the diocesan website in the legal documents section.

BEWARE!



# **UNTIL 30 JUNE 2021**

# **FOREIGN NATIONALS - until 30 June 2021**

Anyone who is not a British citizen or an EEA national i.e. a national of:

- Austria,
- Belgium,
- Bulgaria,
- Cyprus,
- Czech Republic,
- Denmark,
- Estonia,
- Finland,
- France,
- Germany,
- Greece,
- Hungary,
- Iceland,
- Italy,
- Latvia,
- · Liechtenstein,

- Lithuania,
- Luxembourg,
- Malta,
- Netherlands,
- Norway,
- Poland,
- Portugal,
- Republic of Ireland,
- · Romania,
- Slovakia,
- Slovenia,
- Spain,
- Sweden,
- Switzerland



## FOREIGN NATIONALS - until 30 June 2021 2

## **Non-EEA**

- Post Immigration Act 2014 it is unlawful to marry non-EEA nationals by banns or common licence
- Non-EEA nationals may marry in the Church of England but only by following civil preliminaries and, after 4 May 2021, obtaining a marriage schedule from the relevant Register Office



# WHAT WILL CHANGE FROM 1 JULY 2021?

# **FOREIGN NATIONALS – from 1 July 2021**

In accordance with the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations, **anyone who is not**:

- (a) a British citizen,
- (b)an Irish citizen, or
- (c)a person who—
  - (i) has leave to enter or remain in the United Kingdom which was granted by virtue of residence scheme immigration rules within the meaning given by section 17 of the European Union (Withdrawal Agreement) Act 2020, or
  - (ii) is an applicant for the purposes of regulation 4 of the Citizens' Rights (Application Deadline and Temporary Protection) (EU Exit) Regulations 2020) )(applications which have not been finally determined by the deadline);

Diocese of Manchester

must be considered as a 'foreign national'.

# FOREIGN NATIONALS - from 1 July 2021 2

This means that anyone who is not:

- (a)a British citizen,
- (b)an **Irish** citizen, or
- (c)a person who has settled status or a pending application for settled status in accordance with the EU Settlement Scheme (EUSS)

must apply for a **marriage schedule**. Marriages by banns or common licence are unlawful UNLESS the transitional provisions apply.

All register offices in England will be able to receive applications from foreign nationals, not just Manchester register office.



## **FOREIGN NATIONALS – Transitional arrangements**

Where both parties to a marriage are British, Irish, EEA or Swiss nationals before 1 July 2021 they will not need to give notice and re-start preliminaries if they have **started preliminaries on or before 30 June 2021** i.e. where—

- (a)banns of matrimony in respect of that marriage have been duly published on at least one Sunday before 1 July 2021, or
- (b) in a case not falling within paragraph (a), both parties have given notice of the marriage under section 8 of the Marriage 1949 Act before 1 July 2021 together with the evidence required under subsection (1)(b) of that section, or
- (c) An application for a common licence for the solemnisation of the marriage has been lodged or granted.

### ALWAYS SEEK ADVICE FROM THE DIOCESAN REGISTRY

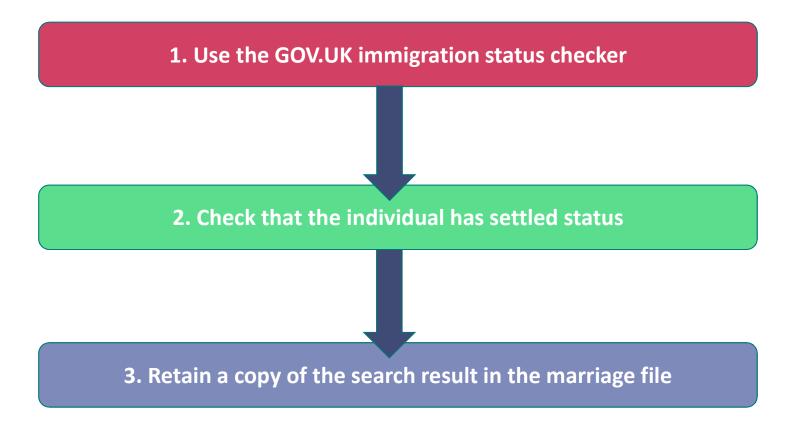






SO, HOW DO YOU ESTABLISH IF SOMEONE IS TO BE TREATED AS A 'FOREIGN NATIONAL'?

# **FOREIGN NATIONALS – from 1 July 2021**





## www.gov.uk/check-immigration-status

### **∰** GOV.UK

- → Coronavirus (COVID-19) | National lockdown: stay at home
- → Brexit | Check what you need to do

Home > Visas and immigration > EU, EEA and Commonwealth citizens

# Check someone's immigration status

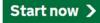
Use this service to check someone's immigration status if you have their 'share code'.

The share code will have been emailed to you or given to you by the person whose status you're checking. It expires after 30 days. You will also need the person's date of birth.

The service will show if they have the right to:

- · live in the UK
- · access services like the NHS
- · apply for benefits
- apply for a bank account, loan or credit card in the UK

Use a different service to  $\underline{\text{check someone's right to work}}$  or to  $\underline{\text{check their}}$   $\underline{\text{right to rent}}$ .





### **SHARE CODES**

## Details you need to share

### Share code

### Code displayed here

This code lasts for 30 days - it is valid until 18 January 2020.

### What to do next

- Give this share code and your date of birth to the person you want to prove your status to.
- To see your status, they must enter the share code and your date of birth at www.gov.uk/check-settled-status.
- Contact them to make sure they have all the information they need.

To prove your status to someone else, you can re-use this code or create a new code - there is no limit to how many codes can be used at the same time.

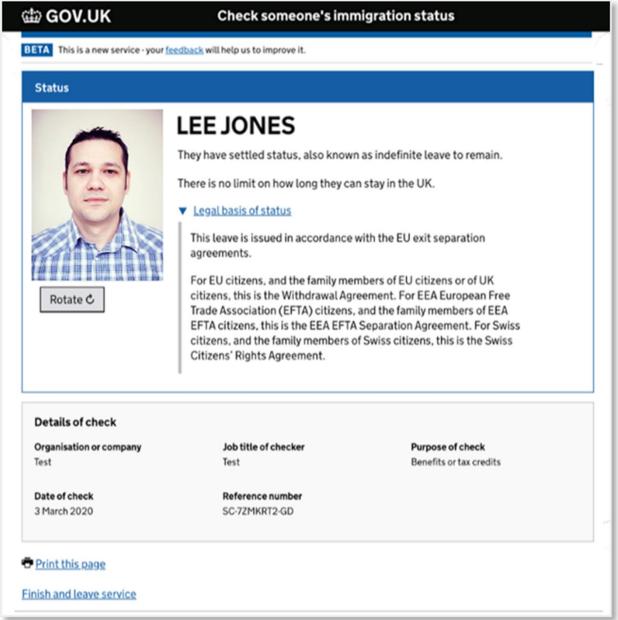
Print this page

Send code by email

Finish and leave service



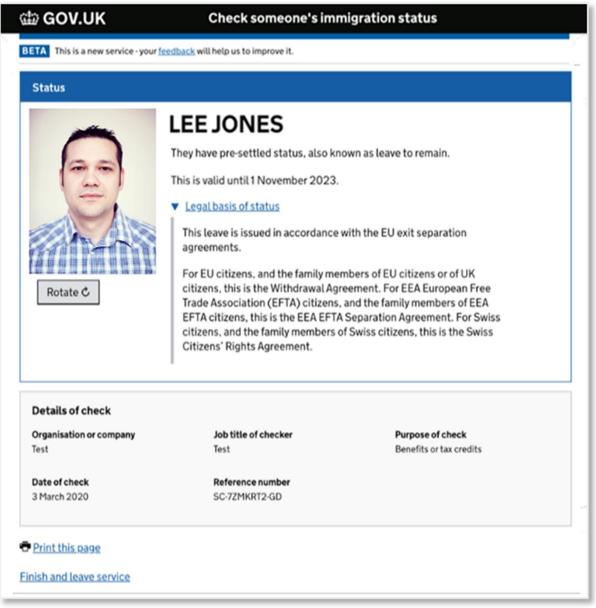
# **FOREIGN NATIONALS - from 1 July 2021**



### **SETTLED STATUS**



## **FOREIGN NATIONALS - from 1 July 2021**



### **PRE-SETTLED STATUS**



# WHERE TO GET ADVICE?

### **OTHER RESOURCES**

General Register Office Guidebook for The Clergy <a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\_data/file/790787/Guidebook for The Clergy GSI checked 19 March 2019 .docx Final.pdf">docx Final.pdf</a> (to be updated shortly)

Church Support Hub <a href="https://churchsupporthub.org/weddings/">https://churchsupporthub.org/weddings/</a>

LRSA website
The Church of England Evangelism and
Discipleship Team the Life Events Diary



### **GENERAL REGISTER OFFICE**

## What Next?

### Training Material and guidance:

- · The Clergy Guidebook will be updated in advance of "go live"
- Regular Newsletters to be issued providing updates and guidance
- · Register Closure Instructions
- Support from the General Register Office and the Local Registration Service



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Email:GROCasework@gro.gov.uk



## **NOT SURE?**

Contact the Diocesan Registry Tel: 0161 839 0092

Email: jm@mandioreg.co.uk or

dm@mandioreg.co.uk

