



# LEICESTER DIOCESAN REGISTRY

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## MARRIAGE – GUIDANCE ON BANNS & LICENCES (October 2019)

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*Note that changes are coming to the marriage certification process, which are likely to become law in Spring 2020. We have a separate note about this, which is available on request. We shall provide training to clergy on the changes once the General Register Office has confirmed what these shall be.*

There are four ways of authorising couples to marry:

- **Banns**
- **Superintendent Registrar's Certificate (SRC)**
- **Common Licence**
- **Archbishop's Special Licence**

### Marrying in a particular church

A couple can get married in a particular parish church if one of them:

- lives in the parish; or
- is on the church electoral roll; or
- has a qualifying connection with the parish.

Someone will have a qualifying connection with the parish if:

- they were baptised there;
- they were confirmed there;
- at any time, they or one of their parents have lived there as their usual place of residence for at least 6 months (in the case of a parent, the 6 months should be during the lifetime of the child to be married);
- they or one of their parents have habitually attended public worship there for at least 6 months (in the case of a parent, the 6 months should be during the lifetime of the child to be married);
- their parents or grandparents were married there.

### Useful things to note

- The parish may have been granted special permission by the Bishop for banns to be called in one church and the wedding to take place in another church.
- If someone lives in a parish with a church that does not have regular Sunday services every week, they may marry in an immediately adjoining parish church.
- The wedding must take place between 8am and 6pm. There are rare exceptions to this rule e.g. medical necessity. The wedding ceremony must have ended before 6pm but the registers can be signed after 6pm (provided this is immediately after the wedding).

## Banns

This is the usual procedure for marriages and should be followed unless circumstances are such that other certificates/licences are necessary.

Banns cannot be published more than three months before the wedding. They must usually be published at a morning service on three Sundays before the wedding (but these need not be consecutive Sundays).

If banns are published other than in the parish where the couple are to be married (e.g. because they live outside the parish), a banns certificate must be issued by the publishing church and the minister taking the wedding must see the certificate prior to the wedding.

## Divorced persons

Bishop Martyn is very happy to allow clergy to use their own discretion as to whether they are content to marry those who have been divorced. Clergy ought to consider the [House of Bishops' Guidance on marriage in church after divorce](#) when making such a decision.

## Common licence

This involves one of the couple making an appointment with the Diocesan Registrar, or someone appointed on their behalf, to make an oath that various facts are true prior to grant of the licence.

A Common Licence is necessary if:

- one or both of the couple live outside England and Wales but **both** are from the EEA or Switzerland (anyone from outside the EEA or Switzerland can only be married in a Church of England church under the authority of a Superintendent Registrar's Certificate – see below)

It will also be appropriate if:

- there is no time to call banns;
- there is a need to avoid local publicity.

## Qualification for a Common Licence

One of the couple (but not necessarily the one making the oath) must either:

- have lived – as their usual place of residence - in the parish where the wedding is to take place for at least 15 days immediately preceding the date the oath is made; or
- be on the electoral roll of the relevant parish; or
- have a qualifying connection with the relevant parish (see Banns section above).

## The procedure

- The couple and the minister of the parish where they want to get married must meet and complete an application form (available from the [Diocesan Registry](#)). This will be an opportunity for the couple and the minister to discuss the wedding arrangements and to establish that the couple meet the qualifications for a Common Licence.

- The minister will need to confirm on the application form that the meeting has taken place, they are happy that the couple genuinely want to be married and that they will conduct the ceremony. If one of the couple is under 18 years, written consent of their parents is required to the marriage and should accompany the application.
- The form must be sent to the Registry: Leicester Diocesan Registry c/o Stone King LLP, Boundary House, 91 Charterhouse Street, London EC1M 6HR, along with a cheque for the fee of £200, made payable to 'Stone King LLP' and copies of the following documents for the couple – evidence of their nationality (e.g. passport); evidence of their qualifying connection (e.g. Baptism certificate); and if either of the couple are divorced, the decree absolute.
- The completed and signed application form and copy documents can be sent electronically to [registry@stoneking.co.uk](mailto:registry@stoneking.co.uk). Please also email that address for our bank details if you would like to send the fee electronically.
- The couple should [contact the Diocesan Registry](#) 0207 796 1007 to make an appointment.
- The oath will contain details such as the date of the wedding, the couple's names, addresses, dates of birth, nationality and marital status, and which of the qualification criteria apply. The person making the oath must swear to the truth of these facts and that they do not know of anything that will prevent the marriage taking place.
- The Licence will be given to the couple following the oath being made.
- The wedding must take place within three months of the oath being made.

### Superintendent Registrar's Certificate (SRC)

The SRC acts in lieu of banns. It is a civil procedure and not usually used for Anglican weddings, except as follows.

- It must be used if one or both of the couple are non-EAA/Swiss nationals (unless a Special Licence can be granted but this is relatively rare).  
An up to date list of countries in the EEA can be found at: <https://www.gov.uk/eu-eea>
- It can be used if one or both of the couple are housebound or detained.

### Check this first...

The SRC itself is not sufficient in itself. To be married in the church of their choice, in addition to the qualifications for the SRC,

- **non-EAA/Swiss national couples:** one of them must either live in the parish or be on the church electoral roll or have a qualifying connection for them to marry following the grant of an SRC;
- **UK/EEA/Swiss nationals:** the requirement is more stringent - one of them must either live in the parish or be on the church electoral roll.

You should ensure these connections exist before proceeding with an SRC application because the couple will need the consent of the minister of the church where the wedding is taking place and that minister must state the couple's eligibility to marry in that church.

## Qualification for an SRC

- one or both of the couple must have been resident for 7 full days in the registration district issuing the SRC; or
- the church where the wedding is taking place must be one or both of the couple's usual place of worship.

The requirement for residency extends only to being physically resident at the relevant time – there is no requirement for any intention to live there permanently. The seven days must expire before the notice is given i.e. before the couple's appointment with the Register Office.

## The procedure

The Register office must be one designated to deal with such applications. Depending on where they live, it may be a different office for each of the couple. You can check out the Government website to find the relevant register office and registration district to the church venue: <https://www.gov.uk/register-offices>.

Each of the couple need to give notice of their intention to get married and the Register Office will display that notice for 28 days after the day of the appointment (so you need to allow at least 29 days before the wedding). The 28 day period may be extended to 70 days by the Home Office but only if it considers it has reasonable grounds to suspect the wedding is a sham and writes to the couple to say so during the 28 day period).

## Useful things to note

- there is a [fee payable per person](#), which depends on the type of visa held;
- there are [various documents](#) that the couple will have to bring to accompany their application;
- if one of the couple lives abroad and the other is a UK resident, it may be possible for the person living abroad to give notice in that country;
- the SRC once granted will be valid for one year, except in the case of one or both of the couple being housebound or detained, in which case the SRC is only valid for 3 months.

***The Diocesan Registry takes no part in the SRC procedure, so always contact the Register Office for the current procedure and requirements.***

## Archbishop's Special Licence

These licences are granted through the Faculty Office, who describe them as 'a privilege and not a right'. ***As with an SRC, the Diocesan Registry takes no part in the Special Licence procedure, so always contact the Faculty Office for the current procedure, fee and requirements.***

Special Licences are usually used:

- in relation to where the couple want to get married:

- if couples have a particular connection with a church/chapel which is not one of the defined qualifying connections (see Banns), e.g. if they want to marry in their school or college chapel;

Technically a licence can be granted for a marriage anywhere in England and Wales but in practice is usually only granted for marriage in buildings customarily used for Anglican worship.

The general rule stated by the Faculty Office is that the couple must have:

*“a genuine and longstanding demonstrable link to the church building (and its congregation/worshipping community) where they wish to be married, which is sufficiently strong to justify the issue of a Licence. As part of this, applicants for a Special Licence will usually need to show a worshipping connection, over a period of time, with the church where they hope to marry.”*

**The convenience of the reception venue or the prettiness of the church is not considered a good enough reason to grant a special licence!**

- in a private house, if required due to medical necessity;
- in relation to the time of the wedding:
  - outside the permitted hours of 8am – 6pm, if required by medical necessity.

### The procedure

- The couple should contact the minister they want to take the service and the minister/chaplain etc responsible for the chosen location. The officiating minister is responsible for ensuring the ministers of the parishes where the couple live/worship have no objections to them taking the service in the chosen location.
- The couple should also be confident that their close relatives are happy with the proposed arrangements.
- The couple should contact the Faculty Office and ask for an application form (call 020 722 5381, extension 162 for more details).
- The application form, like that for a Common Licence, will need to be completed by the couple and the officiating minister.
- The fee for a special marriage licence is currently £325.
- An oath not too dissimilar to that for a Common Licence will need to be sworn at the Faculty Office or someone commissioned to do so locally (this could be the officiating minister).
- The application can be made up to 18 months in advance of the wedding date but note that the Faculty Office warn that there can be at least 4 weeks delay between submitting the form and hearing from them and advise that no wedding plans are made until the couple hear that a licence will be issued.
- It will usually be a term of the licence that the marriage takes place within 3 months of its issue.

If you have any queries, please do not hesitate to contact us at: [registry@stoneking.co.uk](mailto:registry@stoneking.co.uk)

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