

MARRIAGE SERVICES DURING THE PANDEMIC

February 2021

Can weddings currently take place?

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020, which came into force on 6 January 2021, state that a marriage service may only proceed if all of the following conditions can be satisfied:

- Exceptional circumstances exist (see below);
- Not more than 6 people are to be present, including the bride and groom (the minister or vergers are excluded from this number) i.e. just the couple, two witnesses and two guests;
- The service is held in a church which is a COVID-19 secure venue i.e. the organiser must carry out a statutory risk assessment and take all reasonable measures to limit risk of transmission of coronavirus, as described in the guidance available; and
- Physical distancing should be strictly adhered to.

The Church of England has updated its detailed advice document on conducting weddings: [Advice for clergy conducting weddings](#).

Those observing the wedding should wear face coverings consistent with the requirements for any other public space. The bride, groom and the officiant are not required to wear a face covering.

What are exceptional circumstances?

The published government guidance cites examples of exceptional circumstances as being if one of the parties is seriously ill and not expected to recover or is to undergo debilitating treatment or life-changing surgery. However as these are examples there may be other situations which might also amount to exceptional circumstances under which a wedding might still be able to take place.

The individual circumstances in each case should be assessed. It is recommended that any decision to proceed with a wedding at this time is taken jointly by the minister who is to officiate and the PCC concerned. The reason why any such service is considered to be 'exceptional' should be recorded in the minutes.

Will couples be able to have larger wedding services later in the year?

The current expiry date of the Regulations referred to above is 31 March 2021. We have no indication of what restrictions may be in place from the beginning of April. It is therefore vital that parishes manage the expectations of couples appropriately and provide regular updates as the situation changes.

The church is not currently open for worship. What should we tell couples who live in the parish and ask us to publish their banns of marriage?

Given that we find ourselves in the position of not having all of our parish churches open on a weekly basis (or at all) for worship, there is likely to be increased difficulty in arranging for the publication of banns of marriage for couples.

Where a resident of a parish requires his or her banns of marriage to be published and public worship in the church is not currently taking place and unlikely to resume in the timeframe needed for the marriage, the Registry should be contacted for specific advice and the following information will be required:

- When the proposed marriage service is due to take place;
- Whether the service is to take place in a church in this diocese or elsewhere; and
- Whether there is a date from which services are due to recommence in your church.

Where a church is part of a multi-parish benefice or is held in plurality by one incumbent, can a couple with a right to marry in one church get married in another church within the same benefice and, if so, what needs to happen about publishing the banns?

For multi parish benefices and benefices held in plurality the Bishop may formally direct where banns of matrimony of persons entitled to be married in any church of the benefice(s) may be published and where marriages of those persons may be solemnised. The direction is issued as an instrument signed by the Bishop and this can make provision for any person with a right to marry in one parish church in the benefice concerned to be able to marry in any of the parish churches within the benefice.

The requirement for the publication of banns of marriage for anyone with such a right to marry can also be altered. This may mean that they may be published in any of the parish churches in the benefice, rather than only in the parish church of the parish where the individual concerned resides. However, any publication of banns will need to be in accordance with the specific directions given by the bishop for that benefice.

As this provides a greater degree of flexibility to all concerned, a number of such instruments have already been issued across the diocese in recent years. In order for a new instrument to be prepared in respect of other benefices for the Bishop to consider, a formal request should be made by the incumbent to the Registry, by way of a letter or email. This should be accompanied by confirmation that the application to the Bishop is supported by all of the PCCs in the benefice.

We have a wedding booked this summer where at least one of the couple is not a British or Irish national; do we need to do anything different?

As a result of BREXIT, if a parish has a wedding booked to take place after **1 July** this year and one of the couple is not a British or Irish citizen new rules will apply.

This may mean that marriage following banns or on the authority of a common licence is no longer possible. Such couples may need to obtain a Superintendent Registrar's Certificate before any marriage service can be arranged.

The Registry must therefore be contacted for specific advice at the earliest opportunity.

Has there been a change to the way in which marriages are registered?

For the first time since 1837, marriage registration in England and Wales is to be modernised. The Civil Partnerships, Marriages and Deaths (Registration etc.) Act 2019 enables regulations to be issued to amend the Marriage Act 1949.

These regulations will provide for registration in a central electronic register; and facilitate the updating of the marriage entry to include 'mother's names' instead of just the father's name.

This means that marriage registers and marriage certificates (issued at the time of the wedding) will be replaced with a marriage document which will be prepared by the officiating priest before the wedding.

It was thought that the changes could be brought into effect in the spring of 2020 but, as yet, neither the details of a new registration system nor the date for its implementation have been agreed. Training will be provided at that point. Meanwhile parishes should continue to register marriages in the usual manner until advised otherwise.

Can we waive any part of the statutory fees for weddings?

Fees are set nationally, published in the parochial fees table and comprise two distinct parts:

- i. A portion payable to the DBF, calculated from assumptions about the costs of ministry and the likely number of hours needed to provide a good ministry for the particular service; and
- ii. A portion payable to the PCC for the overall costs of repairs and maintenance of church buildings and the number of hours in use, and an element for administrative staffing based on a secretarial rate of pay.

However, after consultation with the churchwardens, an incumbent or priest-in-charge of a benefice can exercise a right of waiver for the PCC element of the fees. An incumbent or priest in charge cannot waive fees generally, only "in a particular case". An incumbent or priest in charge should take note of the recommended guidance and be prepared to give a reason for any decision to waive a fee. Guidance issued in this diocese concerning the DBF portion of the fee advises as follows:

*The incumbent or priest in charge of a parish has the right to waive the DBF fee without needing to refer the decision to bishop, archdeacon, or elsewhere, and to waive the PCC fee after consultation with the churchwardens, but the advice of the Archbishop's Council is that **this power should only be exercised in particular cases of clear financial hardship.***

The Archbishops' Council's advice is also that the power to waive fees should only be exercised in cases of clear financial hardship. Some clergy have been known to waive fees for those who are long-standing members of the congregation. The Council believes, however, that this practice should not be encouraged.

It should also be borne in mind that if an incumbent or priest in charge waives the DBF fee the diocese will in most cases have to find additional funds for stipends. Ultimately these extra funds will have to be provided by the parishes.

You will therefore need to consider what is appropriate in this particular set of circumstances and, if appropriate, consult accordingly.