

**LICHFIELD DIOCESAN REGISTRY**

**HANDBOOK**

**FOR**

**CLERGY**

**GUIDANCE ON MARRIAGE**

*Updated to May 2026*

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***This guidance is issued by the Lichfield Diocesan Registrar primarily for the assistance of clergy. Clergy who conduct Marriages or call Banns should ensure that they are familiar with their responsibilities. They should read this guidance.***

***In addition clergy should read the [Guidebook for Clergy](#) issued by the General Register Office***

***Clergy should ensure that they read the [Marriage Act 1949](#) as now amended, the [Church of England \(Marriage\) Measure 2008](#) and [the amendment Measure of 2012](#).***

***This guidance draws heavily on the guidance issued by the Faculty Office of the Archbishop of Canterbury in the "Anglican Marriage in England and Wales: a Guide to the Law for the Clergy" commonly known as the 'Yellow Book' (and the author is indebted to that office for permission to reproduce passages in this guidance which are derived from it); but it also seeks to summarise other obligations on clergy and to provide practical guidance in difficult situations.***

***The Diocesan Registry are always willing to provide assistance and support to clergy and should be contacted whenever need arises.***

***NB: A member of the Clergy may only authorise marriages of Relevant Nationals. A Relevant National is a British Citizen, an Irish Citizen or any person who has been granted EU Settlement Status (EUSS) (either settled or pre-settled or has a pending application for that settled status submitted before 30 June 2021).***

## **1. The Parish Priest's main obligations:**

- 1.1. the basic position of the Church of England is that as the established church, it is our role to attend to the needs of parishioners, without any concern or differentiation as to whether they are baptised or whether they are members of the parish church congregation, or members of another Christian denomination, or of an entirely non-Christian faith, or of no faith at all.
- 1.2. A person who is resident in a parish; or who is enrolled on the electoral roll or who has a Qualifying Connection with the parish has a right to be married subject to certain exceptions. It is the duty of the Incumbent or Minister in Charge either to solemnize the Marriage or to arrange for a person to marry them, and failure in this regard amounts to neglect of that duty.
- 1.3. Before carrying out that duty the Minister must prepare the couple for Marriage as required under [Canon B30](#).
- 1.4. You cannot marry parties of the same sex because such a marriage in Church of England premises is void. This remains the law notwithstanding the recent changes to secular legislation.

- 1.5. There are certain discretions that exist: There is no obligation to marry where:
- 1.5.1. a party has 'acquired' a gender under the [Gender Recognition Act 2004](#) (see below at 3.6 as to the important qualification to this position);
  - 1.5.2. a person's previous spouse from whom they have been [divorced](#) is still alive;
  - 1.5.3. and, strictly, where a Superintendent Registrar's Marriage Schedule is produced - although here the discretion is not absolute: A Minister should remember that for some people the SRMC is the only legal preliminary open to them, and when that is coupled with the legal right of parishioners to marry, if a Minister were to decline such a Marriage it would be a denial of a right that could be actionable in law (potentially involving discriminatory action and breach of human rights) as well as amounting to a disciplinary neglect of duty. *A Minister should always seek the advice of the Registrar before deciding to decline to marry on this basis, so that the Registrar is able to advise on the implications for the Minister of a refusal*
- 1.6. A clergy person may not solemnise a Marriage in a place authorised for civil Marriages (e.g. a hotel etc).
- 1.7. A clergy person may not solemnise a civil Marriage.
- 1.8. A clergy person may not solemnise a Marriage under any unauthorised rite or in any building or place that is not licensed by the Bishop. (It is permissible to conduct a Marriage in an unlicensed building if authorised by an [Archbishop's Special Licence](#)).

2. **Preliminaries:** A Marriage of a non-Relevant National (i.e., someone who is not British or Irish or has Settled status) may now only be solemnized by a Church of England Minister after the couple have given notice via civil preliminaries and obtained a Superintendent Registrar's schedule. Prior to 1 July 2021 it was lawful for the marriage of a non-Relevant National to be solemnized after the publication of banns or on the authority of a common license, but that is no longer the case.

2.1. **Superintendent Registrar's Marriage Schedule (SRMS):** The Superintendent Registrar's Marriage Schedule procedure is dealt with entirely through the secular Registry Offices and the Diocesan Registry cannot assist.

So far as church Marriages are concerned, the SRMS is used in the main to authorize Marriages where one or both parties are non-relevant nationals. The couple should be told that it is for them to check with their own embassy or legal advisor whether their Marriage will be valid in their home country, whether the children of the Marriage would be regarded as legitimate in their home country, whether there are any adverse (e.g.) property consequences of entering into a Marriage in this country, and whether they would be able to live together as man and wife in their home country should they wish.

2.1.1. There is a condition of 7 days' residence in the registration district. Notice is then published by the Superintendent Registrar for 28 days (although this period can be both extended and reduced in special situations).

- 2.1.2. It is understood that the Superintendent Registrar will usually check with the Minister concerned that s/he is willing to conduct the Marriage and may indeed check as to any Qualifying Connection. However, it is possible for an SRMS to be issued without any communication between the civil Registrar's office and the church.
- 2.1.3. The Minister is not bound to marry a person who utilizes this form of preliminary and may in theory decline on grounds of conscience (e.g. Marriage of divorcee when the previous partner is alive). As noted above, a Minister should remember that for some people the SRMS is the only legal preliminary open to them, and when that is coupled with the legal right of parishioners to marry, if a Minister were to decline to perform such a Marriage it would be a denial of a right to marry that could be actionable in law (potentially involving discriminatory action, and breach of human rights) as well as amounting to a disciplinary neglect of duty. *A Minister should always seek the advice of the Registrar before deciding to decline to marry on this basis, so that the Registrar is able to advise on the implications for the Minister of a refusal.*
- 2.1.4. The existence of an SRMS does not obviate the necessity for the Minister to check that the persons seeking to be married are entitled to be married e.g. as to Qualifying Connections, and that the persons are of single status. It is understood however that the practice of the civil Registrar is to seek confirmation on such matters and on the willingness of the Minister concerned to perform the Marriage before the SRMS is issued.
- 2.1.5. The persons seeking to be married must still attend to be prepared under [Canon B30](#).
- 2.1.6. An SRMS is valid for 12 months.
- 2.1.7. SRMSs cannot be mingled with another form of preliminary.
- 2.1.8. Ministers must note that there will be one SRMS for each party to the Marriage.

## **2.2. Ecclesiastical Preliminaries where both parties are Relevant Nationals (i.e. someone who is British or Irish or has Settled status)**

The preliminaries here are either:

- 2.2.1. Banns
- 2.2.2. Common Licence; or
- 2.2.3. Archbishop's Special Licence

2.3. **Common Licence** A Common Licence for Marriage is issued on the authority of the Chancellor of the Diocese in his capacity as the Vicar General of the Diocesan Bishop. The system is administered in practice by the Diocesan Registry. The Chancellor appoints Surrogates to assist in the process;

A common licence allows a marriage to take place in church **without banns** being called (and so gives permission for the marriage to take place **immediately**). A **marriage must be solemnised within 3 months** of the grant of a common licence.

Where a Common Licence is needed, the Minister should first approach your local Surrogate for advice and guidance, but the Registrar and Registry Clerks will also be pleased to assist, and (especially if there is particular urgency) you may telephone for assistance.

A Common Licence will authorize the Marriage in a specified Anglican place of worship, that is to say a parish church or a building otherwise licensed by the Bishop for Marriage. If the Marriage is to be in a building that is not licensed then a Special Licence from the Archbishop is needed instead.

2.3.1. A Common Licence can only be granted to a person who has a Qualifying Connection with the church in which they are to be married, or who is on the electoral roll of the parish (which is the definition of 'usual place of worship' [under s72 the Marriage Act](#)), or who has been resident in the parish during the 15 days prior to the grant of the Licence.

2.3.1.1. The rules as to residence are different from those applicable to Banns. Unlike the position in relation to Banns, a person who permanently moves to a parish cannot be given a Common Licence to marry there until they have in fact *resided* there for 15 days, and have made reasonable use of their residence during the period (although for the avoidance of doubt a person who is regarded as having their permanent residence within the parish of the Marriage need not be *physically* present throughout each of the fifteen days).

2.3.1.2. A person claiming temporary residence for the purpose of obtaining a Common Licence must be able to show that they resided within the parish, during the 15 days immediately preceding the application for the Licence (ie the point at which the Affidavit is taken by the Surrogate).

2.3.1.3. Difficult questions arise when someone makes specific arrangements to reside somewhere, solely so as to qualify for a Common Licence. The Registrar's advice should be sought in such situations but first the Minister should question the couple about where they lived, how long they resided there, how much time they spent there, what evidence they have of staying there. The Registrar will want to know about where they slept and ate, particularly if the residence period is short. A corroboratory letter from a bed and breakfast owner or licensee of the public house has sometimes assisted in proving residence.

2.3.1.4. There are anecdotal tales of people leaving a suitcase at public houses and purporting to establish residence through that alone (i.e. without actually sleeping in the pub). The Registrar would not regard that as being satisfactory, and it probably represents the 'wrong' end of a wide spectrum; but the Registrar does not wish to be dogmatic about what is or is not sufficient, because the question is always one of fact and each situation will be viewed on its own merits.

- 2.3.2. A Common Licence might be thought of as the most appropriate preliminary to Marriage for a number of reasons, such as:
- 2.3.2.1. If, although having permanent residence in the parish, the Marriage is intended to take place more swiftly than would allow Banns to be called – this kind of emergency may well arise after arrangements for Banns have been put in place and can supersede them even if some or all Banns have been published.
  - 2.3.2.2. If, although they could have been read, the Banns have not been read and it is now too late to correct the error, or where the banns certificate has been lost or forgotten or cannot be produced to the officiating Minister, or, where there is a perceived irregularity in the manner in which the Banns were called.
  - 2.3.2.3. If, although having permanent residence in the parish, the parties for personal reasons do not wish to publicise the Marriage by the reading of Banns.
  - 2.3.2.4. If neither of the parties has a permanent residence in the place where the Marriage is to be conducted but one of them is able to establish fifteen days of temporary residence within the parish.
  - 2.3.2.5. If the parties live outside England and Wales, Scotland or Northern Ireland or the Republic of Ireland. There is no arrangement for appropriate Banns to be called in countries other than these. *Please note that some other countries (eg Australia) have a system of Banns, but it is not sufficient for the purposes of UK law.* Relevant Nationals may therefore be married by Common Licence even if they are resident outside England and Wales but nonetheless have a Qualifying Connection to the parish where they wish to be married.
  - 2.3.2.6. Common Licences are sometimes also relied on where the parties have doubts as to other legal matters in relation to their proposed Marriage. In such instances it is better for the couple to be referred directly to the Registrar rather than to attempt to deal with the situation through a Surrogate, however, the Registrar's primary function is to advise the Bishop and Chancellor in relation to the issue of a Common Licence, rather than to give advice to individuals about their capacity to marry – parties expressing doubts of that kind should be referred to their own legal advisers.
- 2.3.3. A Common Licence will only issue from the Registry if the Surrogate is satisfied that the intended Marriage is genuine, and the Surrogates look to Ministers to help in providing assurance from their Marriage preparation work, that a relationship is genuine. The Minister should therefore expect to be asked to provide confirmation about the preparation work conducted for the couple and about Qualifying Connection issues.
- 2.3.4. Although no Caveat against Marriage has been entered with the Diocesan Registry for many years now, Ministers should be aware that it is possible for a Caveat to be

entered against the issue of a Common Licence. A Caveat is a 'warning' and would be signed by the objector and give full grounds for the objection.

2.3.4.1. The Registry would deal with any Caveat in much the same way as an objection to Banns.

2.3.4.2. If one is entered, then the directions of the Chancellor of the Diocese would be taken as to whether the Caveat should prevent the issue of a licence;

2.3.4.3. even if a Common Licence has been issued, it can be revoked by the Chancellor: this has happened once in the last 30 years and involved a situation in which it was discovered that a child was involved; ultimately a Faculty was issued for the Licence to re-issue and for the Marriage to take place but only after a proper investigation.

2.3.4.4. Ministers who are approached by potential objectors to Marriages should advise them to contact the Registrar.

2.4. **Special Licence:** An Archbishop's Special Licence may authorize a Marriage in any place and at any time. Special Licences can therefore be issued so as to enable the Marriage of housebound or detained persons, or persons too ill to marry in church. It is obtained through the Faculty Office, (0207 222 5381) not the Diocesan Registry. The Faculty office is very helpful, particularly in relation to urgent or emergency situations.

2.4.1. The procedures are similar to those in the Diocesan Registry for Common Licences, but there is no residential requirement.

2.4.2. The Archbishop is able to issue a Special Licence to non-relevant nationals, but has undertaken not to do so unless there is no other preliminary available to the couple; this means that in practice the same protections exist as for the SRMS procedure, and that the preliminary is only available for situations of real emergency usually involving housebound or seriously ill or detained persons, or marriages in places such as school chapels and Cathedrals.

2.5. **Banns** The majority of Anglican Marriages are conducted after the reading of Banns in a church of the place of residence of either the bride or bridegroom (or through being on the electoral roll of the parish concerned), or a church with which they have a Qualifying Connection under the Church of England Marriage Measure 2008. Banns are dealt with later in this guidance.

3. **Qualifying persons: identity, nationality, age, affinity, gender, residence, single status: These matters must be checked by the Minister preparing the couple for Marriage under Canon B30. The [House of Bishops' Guidance](#) should be carefully read and applied, and a record made of the matters.**

3.1. Identity: the Minister must clarify that the persons s/he is dealing with are who they claim to be. If the Minister is relying on a SRMS Licence or certificate of Banns, s/he must check that the names of the person presenting for Marriage correlate with those on the form

provided. The information below as to nationality will ensure that this task is properly completed. One should be firm, consistent and sensitive about these matters. It is specifically inappropriate for a Minister to apply a different procedure on the grounds of perceived identity or race. The passport of each of the intending parties should be seen in all cases if they have one. As an alternative to seeing a passport you would need to see their UK birth certificate.

- 3.2. Mental Capacity: the parties must understand what they are proposing and be able to make the contract of Marriage. A person should be assumed to have capacity unless they show evidence that they lack the capacity. In simple terms, having a learning disability is not necessarily an indication that there is a lack of capacity
- 3.3. Nationality: the Minister preparing the couple for Marriage after Banns or Common Licence must always check on the nationality of both parties, because breach of the requirement only to marry persons qualified as to nationality is a criminal offence as well as being a matter of ecclesiastical duty
  - 3.3.1. It is permissible to marry Relevant Nationals by Banns or Common Licence.
  - 3.3.2. It is permissible to marry any person by the SRMS or Archbishop's Special Licence procedure, regardless of nationality.
  - 3.3.3. It is NOT permissible to marry non-relevant nationals by Banns or Common Licence.
  - 3.3.4. Nationality should be checked by asking to see the person's current valid British or Irish passport or certificate of naturalization as a British Citizen issued by the Secretary of State
  - 3.3.5. If a person was born in the UK before 1 January 1983, and can produce a birth certificate and evidence of their address (see below) and use of that name, then that is sufficient proof of nationality
  - 3.3.6. If the person was born in the UK on or after 1 January 1983, then **in addition**, they must produce their parent's birth certificate *and* evidence that their parent had British citizenship or permanent leave to remain *at the time of the person's birth*. If British citizenship is proven through the Marriage of the person's father, then the Marriage certificate should also be produced. If there is any doubt as to nationality, the person should be directed to the Superintendent Registrar, and, if they will not accept that advice willingly, they should be referred to the Diocesan Registrar.
  - 3.3.7. If the couple hold EUSS Settled status or Pre-Settled Status or have a pending application for either then they must bring with them the 6-digit 'share code' which allows the member of the clergy to view their status on the Home Office website (see [paragraph 1.4 of the GRO Guidebook for the Clergy](#)).
- 3.4. Age: a person aged over 18 may marry.
- 3.5. Affinity: the old prayer book table has now been amended.
  - 3.5.1. The current rules prevent Marriage between a person and any of the following:

- 3.5.1.1. parent, child, adopted child, former adopted child, former adopted parent,
- 3.5.1.2. grandparent, grandchild
- 3.5.1.3. Sibling,
- 3.5.1.4. aunt or uncle, niece or nephew

3.5.2. a Marriage between a person and the child of a former spouse's child parent or grandparent can be authorized if the couple are both over 21, provided that the younger person has not lived as a child in the same household before s/he was 18. But this cannot be by Banns and must be by SRMS or Special or Common Licence.

3.6. Gender: Marriage of persons of the same sex is not permitted in church, including a shared building. A Minister is not obligated to marry a person who has acquired gender but may not refuse to call Banns or decline to allow the church to be used for a Marriage. A Minister should rely on the person's statement as to their gender and not raise questions about it.

3.7. Address: This should be proved by production of a utility bill or bank statement or passbook, addressed to the person at the residential address claimed, and being not more than 3 months' old. A mortgage statement or council tax bill is acceptable if the document is no more than 12 months' old. A current rental agreement is acceptable. The GRO is willing to accept a driving licence.

3.8. Qualifying Connection: The rules about Qualifying Connections are set out in the Marriage Measure 2008, but are summarized below.

3.8.1. Importantly, the rules do not apply to the Cathedral.

3.8.2. However the rules do apply where the parish has no parish church or where the parish church is out of action.

3.8.3. The Minister preparing the couple for Marriage should take responsibility for ensuring that the Qualifying Connections are proven. The Minister should check registers where possible and certainly if there is doubt – for example, where the person seeking to be married is unsure where a grandparent was married, or where boundaries have changed.

3.8.4. Clergy should refer to the Church of England website, and to the House of Bishops Guidance, because the legislation makes consideration of that guidance mandatory. The Guidance includes a form to be used to record the information. The basic principle of the guidance is that the clergy person should seek to secure '*such information written or otherwise as [they] require in order to satisfy him or herself of the connection*'. For each type of connection, the Guidance sets out what information should be supplied by the Applicant.

3.8.5. Where a Common Licence is requested, the Surrogate will rely on the Minister where possible. Clearly there will be situations where the Minister does not know the facts for her/himself.

- 3.8.6. Where a Common Licence is obtained, the information will be given orally by the party making the Affidavit and this verification is sufficient in an emergency.
- 3.8.7. For Banns, where the Minister is unsure then the information might be provided in the form of a statutory declaration.
- 3.8.8. Information obtained should be retained until after the Marriage has taken place, but should then be destroyed. *Any statutory declaration should be retained.*

### 3.9. Single Status

- 3.9.1. It is self-evident that a person may not marry if they are already married. The Minister should check that the person has not been through any previous Marriage or Civil Partnership ceremony anywhere in the world.
- 3.9.2. A person whose spouse has died should produce a certified copy of their earlier Marriage Certificate and of the Death Certificate
- 3.9.3. Divorced persons should produce a certified copy of their earlier Marriage Certificate and the original of the Final Order (or Decree Absolute prior to April 2022) of divorce.
- 3.9.4. Decrees of Nullity are not the same as divorces; they are declarations that the Marriage never existed. Again, the original Decree of Nullity should be produced.
- 3.9.5. A Roman Catholic decree of nullity is not accepted as having the effect of terminating a Marriage or of declaring it to have been void.
- 3.9.6. If the documents are not British in origin, then it would be necessary to insist on them being verified, and if necessary independently translated. The legal effect of some foreign Marriages and divorces is not an easy subject and the Registry will assist where it can. Similarly, the legal effect of some forms of Marriage in foreign places is complex. Ministers should seek advice from the Registrar, but it may be necessary for the couple to seek independent legal advice at their own cost as to the validity of whatever document or ceremony is concerned.
- 3.10. Forced Marriages: clergy should be vigilant to ensure that the parties are properly prepared for Marriage under Canon B30. This should ensure that the Minister is satisfied that they know each other and are contracting with each other voluntarily and in full understanding of what they are intending. Beware of any unusual emotional distress, signs of harm or assault, unwillingness to speak, reluctance of one party to allow the other to speak, inability to communicate in a given language, or of allegations of forced Marriage being made by others. You should insist on seeing the parties alone if need be. Report your concerns to the Foreign and Commonwealth Forced Marriage Unit
- 3.11. Sham Marriages: similarly Ministers should be wary of this situation. In addition to the factors mentioned in the previous paragraph, be aware of cases where the parties appear not to know each other, or things about each other, or to have a relationship with each other, or refer to notes about the other, or appear to be being paid, or show little interaction. Be aware however, that an *arranged* Marriage may well be culturally normal and that the parties

may be perfectly happy with it: it is not of itself evidence of a sham, nor even of a forced Marriage. The Home Office deal with sham Marriage concerns.

4. **Banns:** The first rule is that If Banns are relied on as the preliminary then they are to be published in the parish church of (each of) the parish(es) in which the two parties reside *at the point at which the couple make the application to the Minister for the Banns to be read*. The second rule is that they must also be called in the church which is to be used for the Marriage. The Marriage then has to take place in one of the churches in which the Banns have been called.

4.1. It is vitally important that Ministers preparing people for Marriage by Banns ensure that it is crystal clear to them that if Banns have to be called in another place, that they make the arrangements at that other place and obtain the certificate from the Minister concerned that they have been called, and give it to the Minister conducting the Marriage before the wedding takes place. It is unfortunately the case that every year a large number of Common Licences are granted because of failings in this regard, and it is clear that whilst sometimes this is the result of the couple's mistake, it is sometimes the result of mistakes in preparation by parochial Ministers. The Minister who has responsibility for calling Banns should be aware that it is an entitlement on the part of the parties, so that failure to call the Banns is a neglect of the Minister's duty. The Common Licence is an expensive correction, and the whole process creates anxiety when it is least wanted.

4.2. There are some particular circumstances:

4.2.1. Banns can be called in a place which is a person's usual place of worship (that is to say a place in which they are on the electoral roll, see s72 Marriage Act). If a person seeks to *marry* in that church then Banns must be called there, *in addition* to being called in the place of residence.

4.2.2. The same rule applies if a person seeks to marry by virtue of a Qualifying Connection, Banns are called in each parish where they reside but, *in addition*, in the church where they are to marry.

4.2.3. if there is no parish church in the parish, then the Marriage and publication may be in any adjoining parish, but there must be publication in the church where the Marriage is to take place, and in the other church of residence.

4.2.4. if the church or chapel is being rebuilt or repaired *and on that account is not being used for divine service*, then the options are (i) calling in a building within the parish licensed by the Bishop for divine service during the disuse of the church; (ii) if there is no such building, then in such consecrated building as the Bishop may direct; or (iii) in a church or chapel of any adjoining parish.

4.2.4.1. Note that if the Marriage is solemnised in that other place, then it is deemed to have taken place in the disused church and is to be registered in the register books of the disused church

- 4.2.4.2. If the church is still open for worship the options above **do not** apply. This can be difficult where the church is simply 'unattractive' for the couple with works going on. Pastoral sensitivity is needed here, when taking bookings for weddings, to be clear about anticipated problems. It may be feasible to arrange for the wedding to be in another church through Qualifying Connection, created through habitual worship if need be. But if all else has failed, then an Archbishop's Special Licence may be the only solution. Contact with the Registry at the earliest opportunity may assist in the discussion of options.
- 4.2.5. If a person is resident in an Extra Parochial Place, then (there being no parish church), the publication may be in the chapel of that Extra Parochial Place, if the Bishop has given an authorisation for that purpose under s21 Marriage Act (s6(2) Marriage Act). But if no such authorisation exists or there is no church or chapel then the Marriage will take place in any neighbouring parish (s6(3)MA)
- 4.2.6. If there is a plurality or a benefice with more than one parish within it then the Bishop may direct in writing where Banns may be called (but the Bishop may not in so doing deprive a person of the ability to be married in a particular church to be married in that place).
- 4.2.7. if the Marriage is to be in a chapel authorised under s20 of the Marriage Act 1949 by virtue of the residence of a party in the district so Licensed then instead of the publication in the parish church of a party, the publication is in the Chapel (s6(1) Marriage Act).
- 4.2.8. if a person is '*an officer seaman or marine borne on the books of one of Her Majesty's ships at sea*' then the chaplain or commanding officer of the ship may call the Banns at morning service on the ship and provide the certificate.
- 4.2.9. if one person is resident in Scotland, Northern Ireland or the Republic of Ireland then a Certificate given in accordance with the law or custom of those countries is sufficient to enable the Marriage to take place by Banns in England and Wales
- 4.2.10. there is provision for Marriages to take place in alternative churches within the diocese in the event of war damage but it is not thought that any such directions currently exist in this diocese.
- 4.3. In a benefice with more than one parish, the Bishop can make a Direction (*known as a Bishop's Instrument*) under [Schedule 3 paragraph 12 of the Mission and Pastoral Measure 2011](#), and where there are two benefices held in plurality a Direction can be made under [s23 of the Marriage Measure 1949](#).
- 4.3.1. The Direction indicates where Banns may be called and where Marriages may be solemnised.
- 4.3.2. The effect of the Direction is that a person who is entitled to marry in one church within the benefice either through residence, electoral roll membership, or Qualifying Connection may marry in any church within the benefice(s), and Banns may similarly

be called in any church (and, therefore, not necessarily in the church in which the Banns were called).

4.3.3. But the right to marry in the church in which they have a Qualifying Connection ***is not*** taken away.

4.3.4. The effect is that the Bishop can decide that all Banns are to be called in one church or more than one church, making it administratively simple for the Incumbent. But the Bishop cannot provide that all weddings take place in a church of the Incumbent's choice.

4.3.5. The Minister in charge of a parish in such a situation should check with the Area Bishop's office as to whether such a direction exists, but in case of doubt should contact the Diocesan Registry.

4.4. There are exceptions to the norm in relation to the calling of Banns:

4.4.1. If (after commencement of calling) there is a union of benefices, the Banns can be completed either in the same church or in another church which has taken the place of the first church;

4.4.2. If (after commencement of calling) the church ceases to be a place at which Banns can be called the Bishop can direct which church they should be completed in.

4.5. **Notice**: a person wishing to have their Banns called must give the Minister 7 days' notice of their wish with their **full** names and their place of residence and a statement as to how long they have resided there; they must also provide evidence of their nationality. The residence qualification has to be satisfied at the point at which the application for Banns to be read is made: it does not matter that the party might thereafter move to a new parish either prior to the first calling or during the period covered by the three callings, or between then and the Marriage itself. All that is required is that at the date of the application for Marriage the party is resident or has a Qualifying Connection.

4.5.1. The Minister calling the Banns must certify that Banns have been called in the authorised form according to law. The certificate is to be signed by the Incumbent or the Minister in charge of a parish or by a clergy person authorised by the Bishop for that purpose;

4.5.2. Banns must be called by a clergy person. There is an exception if there is no clergy person present at the normal service at which Banns would be called; this allows either the calling at a service when a clergy person is present, or the calling by a lay person who is authorised by the Bishop to read a portion of morning or evening prayer. *This provision is not much used.* If it is relied on, the Certificate must still be signed by a member of the clergy;

4.5.3. The Banns should be called on three Sundays preceding the wedding, during the principal service (though they may be called in addition at another service, but that counts as a single calling). The services do not have to be on consecutive Sundays.

The principal service is the one at which the Minister thinks the greatest number of persons who habitually attend public worship are likely to attend. (The first calling may indeed be *more* than 3 months prior to the intended date for the Marriage);

4.5.4. The Banns must be called from the Register Book kept for that purpose, and not from any other paper or device. The calling must then be signed in the Book.

4.6. Although there is guidance from the House of Bishops appearing to support other forms of wording, there is no statutory authority for any other wording than the BCP or the Marriage Measure (2012) wordings (The 2012 version is as per the Common Worship document). The authorised wordings are:

4.6.1. *“I publish the Banns of Marriage between NN of [this parish/the parish of ...] and NN of [this parish/the parish of ...] This is the ## time of asking. If any of you know any reason in law why they may not marry each other you are to declare it”* or

4.6.2. *“I publish the Banns of Marriage between NN of [this parish/the parish of ...] and NN of [this parish/the parish of ...] If any of you know cause or just impediment why these two persons should not be joined together in Holy Matrimony, you are to declare it. This is the ## time of asking.”*

4.6.3. The wording should not be changed, but it is permissible to give an additional explanation after these words. Such as:

4.6.3.1. *‘This couple are marrying in this church by virtue of his/her connection with this parish’; or*

4.6.3.2. *‘This couple are marrying in our University Chapel by virtue of the licence given by the Bishop of Lichfield under s20 of the Marriage Act 1949 enabling the publication of Banns and the solemnisation of matrimony in this chapel [for people who have lived on the University campus]’*

4.6.4. it is permissible to pray for the couple after calling Banns.

4.7. Residential Qualification: The rules here are slightly different from those applied to Common Licence cases. There is no rule as to the duration of time for which a person must be resident. A person who lives in a place and then moves lock stock and barrel to another place on a given day becomes, immediately, resident in that new place. However as before the question of residence is essentially one of fact, and the issue for the Minister is simply to decide where someone’s usual place of residence was at the particular time when the application for the Banns is made (see 4.5 above).

4.7.1. You are not expected to act as an enquiry agent or detective, but you should not continue if you believe the residential arrangement to be a sham.

4.7.2. A person who is away from home for purposes of study or work may well still have a residence in that home. Students are a common instance, but many other situations exist: young people sharing houses away from their family home; members of the armed forces or diplomatic services, or company workers may be posted away for long periods:

all of them may have very clear ideas about where 'home' is, and nothing in this guidance is intended to prevent people from regarding their permanent base as being their home.

- 4.7.3. It is legitimate to enquire as to whether the person still has a bedroom in the family home that was recognizably 'theirs', or whether the point has come that they have established a home elsewhere and are now only visitors in the family home.
  - 4.7.4. A person may well have more than one place of residence. Being usually resident in more than one place is not on its own evidence of a sham.
  - 4.7.5. Obviously, this is a potentially grey area and sometimes the answer depends on the length of separation from the familial home and on the 'intentions' of the parties.
  - 4.7.6. If after asking questions (delicately!) designed to elicit information to answer the question of fact you remain in doubt about a residential claim, you should refer the matter to the Registrar.
  - 4.7.7. Happily, nowadays the solution is often to rely on a Qualifying Connection under the Marriage Measure 2008.
- 4.8. [Qualifying Connections under the Marriage Measure 2008 as amended](#): these apply to churches and s20 licensed chapels but not Cathedrals; they are in addition to the rights under the Marriage Act 1949 and are that :
- 4.8.1. the person :
    - 4.8.1.1. Was baptized in the parish;
    - 4.8.1.2. Had their confirmation entered in the church register of a place within the parish;
    - 4.8.1.3. Has at any time in the past had their usual place of residence in the parish for 6 months;
    - 4.8.1.4. Has at any time in the past habitually worshipped in the parish for 6 months (habitual worship is not defined, but the Guidance suggests that a person who, over several years attended church three times a year would satisfy the requirement; whilst a person who attended regularly over a period of 6 months could also satisfy it: it is a combination of frequency and duration, together making a case for habit. It need not be on a Sunday, but it must be *public worship* and not eg a Sunday school not within the church or worship in a school, and it must be worship according to the Church of England rites ie authorized forms of service);
  - 4.8.2. The parent of the person has at any time during the person's lifetime:
    - 4.8.2.1. Habitually worshipped in the parish for 6 months;
    - 4.8.2.2. Had their usual place of residence in the parish for 6 months;
  - 4.8.3. The parent or grandparent of the person was married in the parish.

*[Parent and grandparent include adoptive parents or a person who undertook the care and upbringing of the person concerned; that is a wide provision]*

4.8.4. Under the Marriage Measure if the church to which the Qualifying Connection existed is now in a different parish, the connection transfers to the new parish. Similarly if the connection is to an address and the address is now in a different parish, the connection transfers to the new parish.

4.9. Whatever the basis claimed for the Marriage, it is considered prudent that the Minister making arrangements for a wedding should take down the particulars which the couple provide, on a form such as that appended to the Guidance note. The Marriage Measure requires the Minister to have regard to the House of Bishops' guidance, which is available online at the [www.cofe.anglican.org](http://www.cofe.anglican.org) web site. This provides guidance on the nature of the evidence to be produced by the party and the Minister may insist on the claim being verified by statutory declaration if there is any doubt.

5. **Place of Marriage:** Subject to the rule that the Archbishop may by Special Licence authorize a Marriage at any time or place whatsoever, Marriage may only take place in a licensed building which will be either a parish church, a church or chapel licensed for Marriages, a Parish Centre of Worship (PCW) or a military chapel (if licensed for that purpose by the Bishop).

5.1. a list is kept by the Registrar General as to buildings licensed for the solemnization of Marriage within the Diocese. The Diocesan Registry has a copy of this list.

5.2. all parish churches are believed to be included on the list.

5.3. a PCW is specifically designated as such: only one such place is known in the diocese of Lichfield - Hollington St John the Evangelist.

5.4. A shared building which is not a parish church or a PCW requires a Specific Licence or designation as a PCW before it can be used for Church of England Marriages: it is not automatic (but it can then be simultaneously licensed for Marriages by the different sharing denominations).

5.5. There are some chapels licensed by the Bishop under s20 of the Marriage Act '*for the due accommodation and convenience of the inhabitants of any district*' (such as the Keele University Chapel). (To gain such a licence, the building must already be licensed for public worship according to the rites of the Church of England).

5.5.1. Such licences are normally only granted with the consent of the Incumbent of a parish.

5.5.2. If a licence is given, it is possible that particulars endorsed on the licence may restrict the categories of persons who may have Banns called there; an example might be in relation to limiting the effect of the Marriage Measure 2008 concept of Qualifying Connection which otherwise applies to such places. A Minister licensed to be chaplain should check the terms of the licence carefully.

5.5.3. The grant of a licence is advertised in the London Gazette and is registered in the Diocesan Registry, and a notice must be displayed in the chapel in question to say that '*Banns may be published and Marriages may be solemnized in this chapel*'.

5.6. A church or chapel in an Extra Parochial Place may be licensed for Marriage under s21 of the Marriage Act. Lichfield Cathedral is licensed by the Bishop for that purpose. Importantly, the Marriage Act 2008 does not apply to the Cathedral, so that it is not possible to marry through a 'Qualifying Connection'.

5.7. Military chapels may be licensed for Marriage by the Bishop under s69 of the Marriage Act. A clergy person is then nominated by the military authorities to solemnize Marriages in the chapel. There are four such chapels in the diocese of Lichfield.

5.7.1. Banns are simply be called in the 'home' parishes of the service person, if the service person has such a parish through residence or Qualifying Connection, and the Marriage can take place there or in the other party's parish

5.7.2. If the service person is stationed abroad then the Banns can still be called in their 'home' parish

5.7.3. Alternatively, the Marriage may take place in the service person's military chapel. For this they must be actively serving in the armed forces. They must live in the same parish as the military chapel (so, if they live 'off base', this could be a problem)

5.8. Banns can be called on board HM Naval ships and certified in the normal way.

5.9. Once closed under the MPM2011 a building will cease to be licensed for Marriage, and the Registers are then dealt with under special procedures.

## 6. **The Marriage itself:**

6.1. The Marriage must be taken by a clerk in Holy Orders. A visiting Church of England Minister may participate or take the service with the consent of the Incumbent subject to Canon C8 being complied with. A Minister of another denomination may *assist* under [Canon B43](#), but the Church of England Minister must:-

6.1.1. establish the absence of impediment;

6.1.2. direct the exchange of vows;

6.1.3. pronounce the couple man and wife;

6.1.4. say the final blessing; and

6.1.5. sign the Marriage Document.

6.2. The Minister decides on the date and time of the Marriage. S/he may not delay unreasonably.

6.3. The Marriage must be within 3 months of the last publication of Banns or of the date of the Common Licence. (There is no limitation on when the publication may commence).

6.4. It remains the law that a Church of England Marriage must take place (i.e. be completed) between 0800 and 1800 hours (save where authorized by Archbishop's Special Licence). This is an obligation under ecclesiastical law and overrides the recent amendment to secular legislation.

6.5. The Marriage must be in public. It is not permissible to prevent anyone who wishes to attend from attending, subject to the usual requirements that churchwardens are responsible for

allocating seating. It may be necessary to ensure that ushers are aware of this and that it is made clear to them that they do not have control over entry or seating.

6.6. There is no bar on weddings on Sundays, nor during Lent.

6.7. It is up to the Minister as to whether to an organist or choir or bellringers are provided and how much they should cost; if the couple wish to use their own performers, then that is at the discretion of the Minister. In those circumstances the organist of the church is usually paid the normal fee.

6.8. The form of service is to be either the BCP, Series 1 (1928), Common Worship, or 'an order for the Marriage of Christians from Different Churches' (i.e. not the old ASB form), but the choice is for agreement between the Incumbent and parties (subject to the direction of the Bishop if there is disagreement).

6.9. The service should be conducted in English, but the vows may be taken in Welsh. If one party to the Marriage does not understand English then the vows should be translated into their language and should be made by the person in their language.

6.10. Similarly for a deaf person, and the deaf signer should speak out loud the vows after the person concerned makes them.

6.11. The presence of an interpreter or signer is not a legal requirement. The sole question is whether the Minister is assured that the person understands the vows that they are taking. Where an interpreter or signer is used that person should be one of the witnesses to the Registration, and the interpreter or signer should make a separate statement to confirm that they faithfully translated the vows for the person concerned and that the party was aware of the nature of the vows they were taking.

7. **Objections to Banns or to Marriage:** The grounds on which objection can be raised are very few indeed, but although it is almost unheard of for objections to be raised it is important that they are properly handled if they occur. An objection in relation to Banns is not an emergency – though the Registrar should be told as soon as possible on the next working day.

7.1. Where any objection is made, it is to be made openly and publicly, but it is not necessary then to discuss the detail of the objection in public.

7.2. The objection should not be allowed to become 'disruptive' to the service. If it is disruptive the churchwardens should take steps to remove the person according to their well-established powers, calling the police.

7.2.1. (The authority for removal is under [s2 Ecclesiastical Courts Jurisdiction Act 1860](#) whereby it is an offence to '*molest let disturb vex, trouble or by any other unlawful means disquiet or misuse any preacher or any clergymen in holy orders Ministering or celebrating any sacrament or any divine service rite or office in any cathedral church or chapel*'.

7.2.2. Section 3 provides that the offender may be '*apprehended and taken by any churchwarden of the parish or place where the offence shall be committed and taken*

*before a justice of the peace*’, and Canon F2 provides that it is the duty of churchwardens to maintain good order and that they have power to *‘restrain the offender and if necessary, proceed against him according to law’*.

7.2.3. But they should avoid assault or the use of force, and if necessary, call the police. It should be possible to defuse the situation by making clear to the objector that their objection will be noted; and by making clear to the couple that the objection will be considered in discussion with the Registrar.

7.3. The Minister should record the fact of objection in the Banns Register.

7.4. The Minister should explain to an objector as to Banns that they should provide full particulars of their objection to the Minister *after the service and in private*. The Minister should take the objector to a private vestry or room to discuss the objection and record full particulars of the objection in writing.

7.5. Objections on other grounds do not render the Banns void, but guidance should be sought from the Registrar, since it might well be improper to proceed with the Marriage in reliance on the Banns. Other grounds might include an allegation of a legal impediment such as:

7.5.1. being under 18 at the time of the intended Marriage;

7.5.2. being within the range of unacceptable degrees of affinity;

7.5.3. being mentally incapable of giving consent to the Marriage;

7.5.4. being married to or within a civil partnership with another person already;

7.5.5. Having given a false identity;

7.5.6. Being a non-relevant national and not being married by SRMS or Archbishop’s Special Licence;

7.5.7. The objection should be recorded and dealt with as above and the advice of the Registrar should be sought at the earliest opportunity.

7.6. An objection at the Marriage service itself should be dealt with sensitively. The objection might be on any of the grounds noted above which are all prima facie impediments. It is also possible that someone might raise an issue that is not covered by the above points. An objection for example that the bride is pregnant by someone other than the groom is not a ground for preventing the Marriage taking place, though it may give the groom pause for thought; similarly a bride may have concerns if there is a disclosure that the groom has a sexually transmitted disease : such matters are not a bar to Marriage, but the parties should take time to consider them before deciding whether to proceed, and they should be protected from pressure from others and indeed from each other. The Minister should take the objector to a private vestry or room to discuss the objection and record full particulars of the objection in writing.

7.6.1. An objection by a parent *at the Marriage service* would not prevent the Marriage. If the couple wish to proceed they may do so.

7.6.2. An objector must provide 'security for costs'. No confident advice can be given as to what this means. It covers the cost of investigating the objection which would include the couples' own legal fees and any cost of delaying the wedding. But how that could be quantified is completely unknown. It might include the cost of the ceremony, the musicians, the flowers, the cars, but possibly also the cost of the reception and honeymoon. It is unlikely that a sum could be readily calculated or handed over on the day: so the objector should be asked for guarantors or a surety such as a bank, to a sufficient sum. However, the best advice the Registry can give is that the objector should be asked to *sign a document containing his full name and address and setting out the grounds of their objection, and stating clearly that s/he undertakes to pay to the couple and any party who has expended or committed to expend any money necessary to compensate them for loss or damage suffered by them as a result of the making of the objection including but not limited to the cost of the cancellation of or the delay to the Marriage the reception or the honeymoon in the case that their objection is ill founded as to fact or law or unproven.*

7.6.3. It needs to be impressed on the objector that this is a serious matter, and that the cost implications for them and for the couple could involve many thousands of pounds.

7.6.4. It needs to be impressed on the couple that the Church of England cannot take responsibility for ensuring that the undertaking is valid or indeed that it can be honoured by the person giving it.

7.6.5. If the objection makes out a prima facie case for an impediment and there is doubt, it would be unwise to proceed with the wedding; the Minister should delay the Marriage to enable advice to be taken, and, if necessary court proceedings to be taken for declaratory relief or injunctions. If the couple has a clear answer to it, then the Marriage can proceed. If the preparation has been well carried out then the issue is likely to have arisen and to have been discussed, and proof will have been taken. If the issue is not an impediment but is more a case of disapproval or raising some moral issue, the couple may well wish to proceed and as noted above, the decision to marry is for the couple.

7.6.6. Any objector who disrupts a Marriage service beyond stating their objection and establishing it to the Minister should be removed.

8. **Registration:** The Marriage Document replaces the former marriage registers and records the details of the parties to the marriage, the witnesses and the officiating minister and is used by the Civic registrar to record the details of the marriage in a central electronic marriage register. The marriage document is used only for marriages following ecclesiastical preliminaries, i.e. Banns, a Common Licence, or an Archbishop of Canterbury's Special Licence.

8.1 The officiating minister is responsible for issuing the marriage document (type and print version or manual stock), or for ensuring one has been issued, prior to any marriage that is to be

solemnised after publication of banns or on the authority of a common or special licence. The marriage document must be issued before the marriage is solemnised and the information collected by questioning the couple will be used to populate the marriage document.

8.2 When it has been signed by the parties to the marriage, the witnesses, and the officiating minister, it is the responsibility of the officiating minister to return it to the local register office. Alternatively, and with the agreement of the officiating minister, the parties or a relative can return the marriage document to the local register office. Once received at the register office the marriage is registered, in the electronic register (Registration Online, RON), and the parties can then be issued with a marriage certificate.

8.3 There is a [Guidance note from the General Register Office for clergy](#), and it can be accessed through the [Registry webpages](#) of the Diocesan website. What is set out here are merely a few points on which the Registry is regularly asked to advise.

8.4 The Minister will describe themselves in the Marriage Document as 'Rector/Vicar/Curate' adding the name of his or her incumbency or parish. Retired Clergy holding permission to officiate should describe themselves as 'Officiating Minister of .....

8.5 General points:

- 8.5.1 Part of the Marriage Document should be populated prior to the service;
- 8.5.2 Marriage Documents should be either typed or completed in permanent black registration ink;
- 8.5.3 Surnames should be in capital letters;
- 8.5.4 The year may be entered in numbers, but the date and month should be in words;
- 8.5.5 The parties to the Marriage and two witnesses must also sign. The witnesses need not be of a particular age but they must be capable of giving evidence in court if need be that the Marriage has been entered into i.e. as to what they have seen and heard.

8.6 Change of name:

- 8.6.1 The person should be described by the name by which they are known.
- 8.6.2 If the name was changed by Deed Poll, then the Deed should be inspected and checked to ensure that it was stamped and enrolled in the Supreme Court. In that situation the words '*Name changed by Deed Poll*' should be added.
- 8.6.3 Importantly, most changes of name are effected without the legal formality of a Deed Poll but might be evidenced by a Statutory Declaration; the Statutory Declaration does not change the name, it is simply evidence of it, and in this country one does not need to go through any legal process to use a new name. In such situations it is permissible and may be helpful, though not obligatory, also to describe people as 'otherwise known as' or 'formerly known as' and the parties should be encouraged to accept this

where it is appropriate – one purpose of the register is to ensure that the person's identity is clear in years to come.

8.7 The General Register Office guidance for clergy sets out a helpful table to assist in the correct description of people who have been married previously. It also sets out how to complete the various columns sections of the Register Marriage Document so as to record details of the parties etc.

8.8 One common question is as to how to describe the parent of a party. The starting point is for the natural father's name to be inserted in the register. The Minister can however accept a request by either party to the Marriage to insert the name of a stepfather instead, qualifying it as such, *but only if he has in fact been married to the bride's mother*. If that does not apply, the Minister can leave the name of the father blank, again if so requested. So, there is no need for the natural father's name to appear on the certificate.

8.9 Marriage Registers Unless these are in archival or Diocesan custody there may be a duplicate marriage register (prior to May 2021) used for the purpose of searching the entries but not for the issue of certificates. The Register should be kept in a fire resistant safe.

8.10 Errors in the Marriage Document:

Since the introduction of the 2019 Act there is no provision for a member of the clergy to correct a marriage entry. All corrections are authorised by GRO and are carried out by either the local registration service or GRO. Applicants for corrections should be advised to complete an application form and send it to GRO with the relevant supporting evidence and as appropriate, a fee. Guidance notes for the application form are also available. However, in a pastoral role, you may if you wish, especially if the couple's first language is not English, or they have difficulties in understanding the requirements, apply on their behalf.

8.11 As part of the correction application process, the superintendent registrar may require a copy of the register page for the marriage solemnized at your building. The copy may be provided as a photocopy of the entry or a digital copy and may be transmitted digitally or by another method to the superintendent registrar.

Andrew Wynne  
Registrar of the Diocese of Lichfield  
Wolverhampton  
May 2026