



HM Passport  
Office

# **The Registrar General's guidance for the approval of premises as venues for civil marriages and civil partnerships**

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# Contents

|  |    |
|--|----|
| Introduction   | 3  |
| Part one – generic guidance  | 5  |
| Part two – secular premises (premises that are not religious premises) – civil partnerships and marriage | 16 |
| Part three – religious premises – civil partnerships only  | 18 |
| Part four – other guidance   | 22 |
| Annexes  | 26 |

## Introduction

This guidance is issued by the Registrar General for England and Wales in accordance with his duties under the Marriage Act 1949 and the Civil Partnership Act 2004. The guidance supplements the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 as amended <sup>1</sup> (“the 2005 Regulations”) to provide the public, local authorities, registration officers and faith groups with information on the regime to approve premises for the solemnization of civil marriages and the registration of civil partnerships.

1.2 The guidance focuses on the detailed processes for the approval of premises and the conditions associated with an approval. It is not intended to provide information more generally on the legal requirements for marriage and civil partnership in England and Wales. Nor does it cover the approvals process for the certification of places of worship or registration of the same for religious marriage. [Further information on marriage or civil partnership](#) can be accessed on the GOV.UK website.

1.3 This guidance is in four parts:

- Part One provides generic guidance that applies to all premises that are to be approved for civil marriages and civil partnerships. Also, religious premises to be approved for the registration of civil partnerships, (whether of couples of the same sex, opposite sex, or both);
- Part Two provides additional guidance that is specific to the approval of secular premises for civil marriages and civil partnerships;
- Part Three provides additional guidance that is specific to the approval of religious premises for civil partnerships; and
- Part Four provides other guidance for couples wishing to solemnize a marriage or register a civil partnership on approved premises and gives information about the designation of civil partnership registrars.

1.4 The relevant legislation that provides for the approval of premises for civil marriages and civil partnerships are listed below:

- Marriage Act 1949
- Civil Partnership Act 2004

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<sup>1</sup> The 2005 Regulations were amended in December 2011 by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011 (S.I. 2011/2661), in October 2013 by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2013 (S.I. 2013/2294), in December 2019 by the Civil Partnership (Opposite- sex Couples) Regulations 2019, in March 2021 by the Registration of Marriages Regulations 2021 (S.I. 2021/411), and in July 2021 by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2021 (S.I. 2021/775).

- The Marriages and Civil Partnerships (Approved Premises) Regulations 2005
- The Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011
- The Marriages and civil Partnerships (Approved Premises) (Amendment) Regulations 2013
- The Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2021
- The Registration of Marriages Regulations 2021
- The Civil Partnership (Opposite-sex Couples) Regulations 2019
- Equality Act 2010

## Part one – generic guidance

Guidance for the approval of premises as venues for marriages under section 26(1)(bb) of the Marriage Act 1949 and for civil partnerships under section 6(3A)(a) of the Civil Partnership Act 2004, and arrangements for the use of linked outdoor areas.

2.1 The Regulations refer to “proceedings”, defining these as the solemnization of marriages or the registration of civil partnerships and this guidance uses this term, where appropriate. It also refers to registration authorities and local authorities as “authorities”.

### Types of premises

2.2 The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar premises (and, in respect of civil partnerships, religious premises) without compromising the solemnity of the occasion.

2.3 Following changes introduced by the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2021 (the 2021 amending regulations), “premises” is defined as “built premises” together with “linked outdoor areas”.

2.4 "Built premises" are defined as a permanently immovable structure comprising at least a room or any boat or other vessel which is permanently moored. "Linked outdoor areas" means any areas within the boundary of the land of which the built premises form part, which are not indoors and which may be used in common with the built premises. An area is indoors if it is a space which is enclosed, or substantially enclosed. Areas are enclosed if they have a ceiling or roof; and except for doors, windows and passageways, are wholly enclosed either permanently or temporarily. Areas are substantially enclosed if they have a ceiling or roof but there is an opening in the walls or an aggregate area of openings in the walls which is less than half of the area of the walls, including other structures that serve the purposes of walls and constitute the perimeter of the premises. Openings in which there are windows, doors or other fittings that can be opened or shut cannot be considered in determining the area of an opening or aggregate areas of openings.

2.5 Any premises outside this definition, such as most forms of transport, or land which is not land of which the built premises form part would not be eligible for approval. The minimum requirement for approval is that there must be built premises, whether or not there are any linked outdoor areas. In addition, there are other statutory requirements that must be met before an approval can be granted.

2.6 In terms of the built premises, having regard to their primary use, situation, construction and state of repair, these must, in the opinion of the authority, be a seemly and dignified venue for the proceedings. Proceedings on built premises must take place in a room, or room within the

built premises which are identifiable by description as a distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.

## **Linked outdoor areas of premises and proceedings conducted there**

2.7 The 2021 amending regulations permit existing approved premises to conduct ceremonies in any linked outdoor areas which are available for use by the premises without the need for any prior approval of these linked outdoor areas. For new applications for approval as approved premises, a plan of the premises must be submitted. The plan must show both the built premises (and the room or rooms within the built premises for which approval is sought and which are to be used for proceedings) together with the boundary of the land of which the built premises form part. It is not necessary to identify on the plan specific locations within the linked outdoor areas where proceedings are to take place. It is important to note that the regulations do not permit other premises on the same land which is not an Approved Premises to conduct any outdoor proceedings in the linked outdoor areas.

2.8 New schedule 2B (Annex E) and Schedule 2C (Annex F) set out for secular premises and religious premises respectively conditions for proceedings held in linked outdoor areas. There is a requirement in respect of the location for each proceedings within the linked outdoor area that prior confirmation must be secured from the superintendent registrar of the district in which the approved premises are situated (or the authority, as the case may be) that in their opinion, having regard to the primary use, situation, construction and state of repair, the proceedings will take place in a seemly and dignified location within the linked outdoor areas. It follows that the assessment is specific to the location where individual proceedings will take place and not to the linked outdoor areas as a whole.

2.9 The responsible person must therefore discuss with the superintendent registrar (or the authority, as the case may be), the proposed location for outdoor proceedings before arranging those proceedings to secure confirmation that the proposed location is seemly and dignified. This is to avoid a situation where proceedings cannot take place on the day because they fail to meet the seemly and dignified condition. Approved Premises are being strongly advised to ensure that no other activities are planned to take place within the linked outdoor areas at the same time as the proceedings, to ensure that such activities will not affect the prior assessment of the location as being seemly and dignified.

2.10 The location for the proceedings must be identifiable by way of description to the public and a suitable notice must be displayed at each public entrance to the premises (both the built premises and the linked outdoor areas) stating:

- (i) that the premises have been approved for the proceedings;
- (ii) a description of the location of the outdoor proceedings;

(iii) directions to the outdoor proceedings.

2.11 Food and drink may not be sold to or permitted to be consumed by persons gathering for the purpose of the proceedings, or during the proceedings (save for non-alcoholic drinks consumed prior to the proceedings).

2.12 Superintendent registrars will already be aware of the need to protect themselves from “knowingly and wilfully” solemnizing, or permitting to be solemnized, a marriage on a premises which are not Approved Premises. Superintendent registrars will need to be satisfied that the proposed proceedings are on the approved premises. When approached by an Approved Premises about satisfying the seemly and dignified requirement for the proposed location of outdoor proceedings, the superintendent registrar should take reasonable steps to obtain the necessary confirmation from the Approved Premises that the proposed location for the outdoor proceedings is within the boundary of the land of which the built premises forms part, and which is available for use by the built premises (“which may be used in common with the built premises”).

2.13 In practice, superintendent registrars will be familiar with many of the existing Approved Premises in their registration district which regularly conduct ceremonies and will be able to obtain the necessary confirmation from the responsible person at the Approved Premises.

2.14 It is for approved premises to determine whether or not they wish to provide the option of proceedings in any linked outdoor areas and to ensure that the requirements for proceedings held in those areas meet the necessary conditions. As with all functions held on public premises, Approved Premises will need to ensure that existing health and safety requirements and fire precautions are complied with. There is no requirement for Approved Premises to facilitate outdoor proceedings.

### **Considerations for different types of premises**

2.15 The built premises must not be any part of a register office on the plan submitted by the authority and approved by the Registrar General under the Registration Service Act 1953. Any rooms in the same premises as the register office that aren't on this plan, e.g. a council chamber in the same town hall, can be approved but a room in a register office cannot be approved.

2.16 Premises that are religious premises (as defined by section 6A(3C) of the Civil Partnership Act) may not be approved for civil marriages. Following amendments to the 2005 Regulations made in December 2011, religious premises can be approved for the registration of civil partnerships between couples of the same sex. From 2 December 2019, applications can also be made for religious premises to be approved for the registration of civil partnerships of opposite sex couples. Further guidance about the type of religious premises that may be approved, and necessary consents, is provided in paragraphs 4.1 and 4.2 of this document.

2.17 When approving non-religious premises under the Marriages and Civil Partnerships (Approved Premises) Regulations 2005, it is intended that authorities approve premises for both the registration of civil partnerships and the solemnization of civil marriages. From 2 December 2019, non-religious premises that are already approved premises for marriages and civil partnerships will automatically be approved for the registration of civil partnerships of opposite sex couples as well as same sex couples.

2.18 In contrast, applications for religious premises to be approved must specify if the approval required is for the registration of civil partnerships between two people of the same sex, the opposite sex or civil partnerships generally (i.e. two people whether of the same or opposite sex). The necessary consents for the approval of religious premises is required.

2.19 When approved by an authority it is expected that the built premises are made available regularly for the registration of civil partnerships and the solemnization of civil marriages. Owners or occupiers of premises will not be able to refuse to host either marriages or civil partnerships on the grounds of sexual orientation. However, this may not apply to premises that are owned or controlled by a religious organisation, though are not religious premises as defined in Regulation 5(1B) of the 2005 Regulations:

- a) a church or chapel of the Church of England;
- b) a church or chapel of the Church in Wales;
- c) a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Worship Registration Act 1855;
- d) a place of meeting for members of the Society of Friends; or
- e) a Jewish synagogue.

2.20 The owners or occupiers of these premises, should they wish to, are able to refuse to host civil partnership registrations, providing they fall under the exceptions set out in Schedule 23 to the Equality Act 2010.

2.21 If the conditions set out in Schedule 23 are met, then organisations relating to religion or belief (as defined), whose sole or main purpose is not commercial and where it is not acting under contract on behalf of a public authority, can rely on the exception to refuse to host civil partnership registrations on the premises which they own or control without the risk of a successful legal action against them for unlawful sexual orientation discrimination.

2.22 In these instances, authorities should not revoke an approved premises grant of approval if the religious organisation lawfully refuses to host civil partnership registrations.



## **Other requirements before an application can be considered**

2.23 In addition to being satisfied that the requirements relating to the type of premises are met, the authority will want to be satisfied that the fire assessment in place at the premises is suitable for the intended purpose. The authority will also want to be content that no planning permission is necessary for the use of the venue for marriages or civil partnerships.

2.24 In addition to the national criteria, authorities may if they wish, specify local requirements. These should apply to all premises within their area for which approval is sought. Though this is a matter for individual authorities it is possible that these requirements will relate, amongst other things, to disabled access, a separate room for pre-proceedings questioning by the registrar, toilet facilities, the seating capacity of the relevant room(s), an available approved indoor room or covered structure (which is not enclosed or substantially enclosed) as an alternative to any linked outdoor area in the event of inclement weather, and car parking provision. Existing health and safety requirements and fire precautions must also be complied with.

## **The application process**

2.25 To simplify the application procedure, authorities are advised to introduce an application form outlining the requirements for approval. Draft application forms are provided at Annexes H and I to this guidance. The boundary of the land of which the built premises form part and all rooms that might be used for proceedings, including those intended as a contingency, should be indicated as such on the plan that accompanies the application, as once approval is granted, proceedings may only take place in the rooms or linked outdoor areas approved. It is therefore essential that the owners of premises and authorities ensure both the application and the approval are clear in this area.

2.26 An application for approval may be made by the proprietor or trustee of premises. The application can only be made to the authority in which area the premises are located, and a separate application should be made for each premises. Authorities should in some way communicate that applications are to be made to the Proper Officer of the authority and more generally provide advice and information on the application process.

2.27 The applicant must provide the following to the authority:

- an application in writing, including the name and address of the applicant;
- a plan of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted together with the boundary of the land of which the built premises form part for which the linked outdoor areas may also be used for proceedings; and
- if the authority requires - a fee to fund the approval process.

2.28 Authorities may request further information that they consider is reasonable to accompany an application. Authorities are advised to make available a standard application form to ensure they obtain the necessary information from the applicant at the earliest stage of the process.

2.29 As soon as is practicable after receiving the application authorities are required to publicise the application for a period of 21 days. This can be through:

- placing an advertisement in a local newspaper (which may be a newspaper distributed free of charge), which is in general circulation at intervals of not more than one week in the area in which the premises are situated; or
- publishing notice of the application on the authority's website.

2.30 The authority may choose to use either of these methods and may also choose to give notice of the application in other ways (although it is not obliged to do so). The notice that publicises the application must:

- identify the premises and the applicant;
- indicate the address at which the application, the plan accompanying it and any consents may be inspected;
- state that any person may give notice in writing of an objection to the grant of approval, with reasons for the objection, within 21 days from the date on which the notice is published; and
- state the address of the offices of the authority to which such notice of objection should be given.

2.31 In accordance with this notice, the authority must make the application, the plans and any consents available for public inspection during the working day. There are no restrictions on the address where applications and plans are made available for public inspection, although authorities should seek to ensure that they are in a location where policy advice on the attachment of local conditions and the review process can be given.

2.32 As soon as practicable after receiving an application the authority must inspect the premises. In respect of religious premises only it may decide not to inspect if it considers that it is not necessary (because for example the premises are already used for religious marriages). Authorities may consider the views and experience of the local superintendent registrar to be helpful at the inspection, although this would be outside his or her registration duties.

## **Objections**

2.33 The authority must put in place a process where they are able to consider any objections to an application. The decision about whether to approve premises sits with the authority, however they need to ensure that they consider their decision in light of any objections made. It is not a matter for this guidance to provide detail on any grounds for objection, nor provide advice

to authorities on the validity of any grounds as the reasons are likely to differ significantly across England and Wales.

## Granting approvals

2.34 The authority may only grant approval if it is satisfied that the application has been made in accordance with the Regulations, that the built premises fulfil the requirements set out in Schedule 1 or 1A to the Regulations as applicable {Annex A, or Annex B to this guidance} and that the premises fulfil any other reasonable requirements which the authority considers appropriate to ensure the facilities provided at the premises are suitable.

2.35 The authority may refuse to grant approval, or attach such additional conditions to an approval that it considers appropriate. As soon as is practicable after making a decision the authority must notify its decision in writing to the applicant and any person that has given notice of objection to the application. If approval is refused, or conditions other than the standard conditions (i.e. those set out in Schedule 2 or 2A to the Regulations {Annex C or Annex D to this guidance} and those set out in Schedule 2B or 2C in respect of linked outdoor areas only {Annex E or Annex F to this guidance}), attached to the approval, the authority must notify the applicant of the right to seek a review of its decision.

2.36 If the authority has granted approval, it must provide the applicant with the standard conditions contained in Annex C together with Annex E (for non-religious premises) or Annex D together with Annex F (for religious premises) together with any additional conditions that it has attached to the approval.

2.37 It is for the authority to determine the period of approval, which must be for a minimum of 3 years but may be granted for a longer period. In determining the period of approval to be granted, authorities are encouraged to consider the potential benefits to applicants of extending the period of approval beyond the 3 year minimum. The period starts on the date on which it is granted, unless it is revoked, extended or reinstated. If ownership of the premises changes then the new owners become the holders of the approval. The standard conditions require the holders of approvals to notify the authority immediately if there is any change to the details that were included in the application, such as a change in holder of the approval. Approval authorities and Approved Premises should note that the 2021 amending regulations which permit proceedings to take place in linked outdoor areas of the premises expire at the end of 5 April 2022. We will advise in due course on plans for further regulations.

2.38 Immediately after the grant of the approval, the holder of the approval must tell the authority the name, address and qualification of the responsible person. The responsibilities of the responsible person are detailed in Annex C together with Annex E or Annex D together with Annex F, but in short, he or she is responsible for ensuring compliance with the standard conditions of approval.

## Expiry and renewal of approval

2.39 The renewal process is the same as the approval process but can be commenced when the current approval has less than twelve months left to run. An application for renewal made within this period will if, necessary, extend the approval until that application has been finally dealt with. A renewal should be expressed to take effect from the date on which the current approval expires.

2.40 If an approval expires before any application to renew is made but an application is made within one month of the expiry, the approval will be reinstated. The reinstated approval will then continue until such time as the application for renewal is finally dealt with.

2.41 Authorities and approval holders are strongly recommended to have a reminder system to warn the holder of an approval, at least a month before it is due to expire, that an application for renewal must be made as no proceedings can take place after the expiry date. The reminder system should also alert all officers in the authority who take notices and receive notices taken outside the authority so that any couples who may be affected can be warned. An approval can be extended or reinstated but if an application for renewal is made a month or more after expiry, the full application procedure has to be followed prior to any further approval being granted. Any proceedings arranged at the venue within that time must be postponed or moved to another venue after fresh notices have been given.

## Revocation

2.42 Subject to the exception outlined in paragraph 2.22, in general an authority may revoke an approval if the holder has failed to comply with one or more conditions of the approval, or the use of structure of the premises has changed and the premises are no longer suitable for any proceedings, having regard to the requirements set out in Annex A or B (in relation to the built premises) or any additional requirements for approval set by the authority (whether in respect of the built premises or the linked outdoor areas). On deciding to revoke the approval the authority must deliver a notice in writing to the holder of the approval confirming its revocation.

2.43 The Registrar General for England and Wales may direct an authority to revoke an approval if it is considered there have been breaches of law relating to the proceedings on the approved premise. Before doing so the Registrar General must write to the holder of the approval stating the grounds on which it is proposed the approval should be revoked and provide the holder with a period of at least 14 days to make representations in writing to the Registrar General. If, following consideration of any representations received, the Registrar General decides that the approval should be revoked the authority will be directed to do so. The authority must then revoke the approval with immediate effect and notify the holder of the approval that it has done so.

2.44 When an approval has been revoked, the holder of the approval must immediately notify any couples who had arranged proceedings on those premises that this is the case. Whilst it is not their responsibility to do so, authorities may also ask the superintendent registrar or civil partnership registrar who has accepted a booking or been given a notice of marriage or civil partnership to notify the couple that the approval has been cancelled and the schedule for the proceedings will not be issued.

## Reviews

2.45 An applicant is able to seek a review of a decision made by an authority to refuse an application or a renewal, to revoke an approval (other than when directed by the Registrar General as described above) or to attach conditions other than the standard conditions (Annex C together with Annex E or Annex D together with Annex F). The application for review should be delivered to the proper officer of the authority. The Proper Officer should ensure that the review is carried out by individuals who were not involved in the earlier decision.

2.46 On determining whether to uphold the original decision, vary the decision or substitute a different decision the authority must provide notice in writing to the applicant or holder, stating its decision, the reasons for it and, if different to the original decision, the date on which it takes effect.

## Register of approved premises

2.47 Each authority must maintain an up to date register of the approved premises in its area. The register must include:

- the name and full postal address of the approved premises;
- the description of the room or rooms in which the proceedings are to take place;
- the name and address of the holder of the approval;
- the date of the granting and due date of expiry of the approval;
- if the approval is renewed, the date of renewal;
- if the approval is revoked, the date on which the revocation takes effect; and
- the name, address and qualification of the responsible purpose.

2.48 It must also indicate which of the premises (if any) are religious premises approved for civil partnerships, and whether they are approved for civil partnerships formed by only two people of the same sex, the opposite sex, or civil partnerships generally (i.e. whether people of the same or opposite sex).

2.49 The register shall be available for public inspection during normal working hours. In practice many authorities make the register available in an electronic format on their website.

2.50 It is essential that the local superintendent registrar, civil partnership registrars and the Registrar General are notified without delay of changes to the register of approved premises. All officers in the authority who take notices (of marriage and civil partnership) and receive notices taken outside the authority must be notified immediately of a change of name. The way the premises are specified in the notices may require an amendment that can only be made before the schedule is issued. Details of any changes to religious premises need not, however be delivered to superintendent registrars, though authorities as a matter of good practice should ensure that all officers that are civil partnership registrars are aware of any changes.

2.51 The Registrar General will circulate regularly details of all approved premises to every registration officer, and [details of approved premises are also available on the GOV.UK website](#).

## Fees

2.52 There are four fees which may be levied, at the discretion of the authority. Each fee may be set locally at any level up to the full cost of providing the service.

2.53 The fee for the application for approval and renewal can be determined in advance but cannot include any costs of a review. Authorities may choose to set classes of fees (according to the average cost of dealing with an application for all buildings or buildings of a particular type) or set individual fees according to the cost of dealing with each application.

2.54 The additional fee payable when a review is requested can be determined on the same basis as the fee for the application for approval and renewal but does not apply to a review of a decision to revoke an approval.

2.55 The fee for the attendance of the superintendent registrar and registrar at a marriage is a fee set by the authority, which reasonably represents the costs to the authority of providing the same for a marriage solemnization.

2.56 The fee for the attendance of the civil partnership registrar at a civil partnership is a fee, set by the authority, which reasonably represents the costs to the authority of providing the same for a civil partnership registration.

2.57 Though the fees are a matter for authorities they are only able to recover their reasonable costs incurred. The fee set may be a standard fee or can differ to take account of variables such as the time of the ceremony (for example on a weekend rather than weekday), distance travelled to a venue for attending staff and so on. HM Revenue and Customs are currently reviewing the application of VAT to approved premises fees, and authorities should refer to their own finance department.

## Changes after the approval

2.58 It is not possible to outline all potential circumstances in which a change may occur after the approval. One common change might be to seek the use of an additional room (one that was not specified on the plan as being intended for proceedings) which would require a fresh approval to be granted following the same application process. Apart from where there is solely a change of holder of the approval it is likely that most instances will require a fresh approval, following the standard application process (although see further below in relation to religious premises that are shared). While it is not possible to add a room midway through a grant of approval, it is possible for a room to be added as part of the renewal process.

2.59 In respect of approvals granted prior to the coming into force of the 2021 amending regulations, there is no requirement for a new approval to be sought or granted (or for revised plans to be submitted) showing the linked outdoor areas it is proposed to use for proceedings. However, venues should discuss with the superintendent registrar, or authority, the proposed use of outdoor locations prior to arranging any ceremonies.

## **Part two – secular premises (premises that are not religious premises) – civil partnerships and marriage**

Guidance specific for the approval of premises as venues for marriages under section 26(1)(bb) of the Marriage Act 1949 and civil partnerships under section 6(3A)(a).

3.1 This section of the guidance provides further information that only applies to secular premises, such as hotels or stately homes. This section must be read in conjunction with Part One to this guide which sets out the generic guidance and approved premises processes. Annex C together with Annex E sets out the standard conditions to be attached to an approval for this category of premises.

### **Types of premises**

3.2 In addition to the requirements set out in paragraphs 2.2 to 2.21:

- the built premises must be regularly available to the public for use for the solemnization of marriages, or the formation of civil partnerships; and
- must not be religious premises which:
  - a) are used solely or mainly for religious purposes, or
  - b) have been so used and have not subsequently been used solely or mainly for other purposes

Any approval granted by an authority for secular premises is for both the solemnization of marriages and for the registration of civil partnerships. From 2 December 2019 the premises will automatically be approved for the registration of civil partnerships of two people of the opposite sex.

The requirement to be regularly available will preclude any private house being approved.

### **The application process**

3.3 The processes are as described in Part One. A draft application form is included at Annex H.

### **Objections**

3.4 The processes are as described in Part One.

### **Granting approvals**

3.5 The processes are as described in Part One. In determining the period of approval to be granted, authorities are encouraged to consider the potential benefits to local business of



extending the period of approval beyond the 3-year minimum. The information contained in Annexes A, C and E should be attached to the approval.

## **Expiry and renewal of approval**

3.6 The processes are as described in Part One.

## **Revocation**

3.7 The processes are as described in Part One, with the addition that the authority must notify the superintendent registrar and the civil partnership registrar for the district in which the premises are situated of the revocation.

## **Reviews**

3.8 The processes are as described in Part One. Annex C together with Annex E contains the standard conditions to be attached to the approval. They cover such matters as the layout of the premises, the consumption of food or drink; that the proceedings must not be religious in nature and that public access to the proceedings must be allowed without charge. In the view of the General Register Office the approval of premises should not be refused solely on the grounds that they may contain stained glass windows or other religious imagery as part of the fabric of the building. Premises with religious imagery or iconography would comply with the regulations provided that they are not being used as part of a civil marriage ceremony or during the registration of a civil partnership.

## **Register of approved premises**

3.9 The processes are as described in Part One.

## **Fees**

3.10 The guidance is as described in Part One.

## Part three – religious premises – civil partnerships only

Guidance specific for the approval of religious premises as venues for civil partnerships under section 6(3A)(a) of the Civil Partnership Act 2004.

### Types of premises

4.1 Religious premises are defined in the 2005 Regulations as premises where the:

- Built premises which are used solely or mainly for religious premises, or
- Have been so used and have not subsequently been used solely or mainly for other purposes.

4.2 To be approved religious premises must be premises as described in 4.1 and the built premises must be one of the types listed below:

- a) a church or chapel of the Church of England;
- b) a church or chapel of the Church in Wales;
- c) a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Religious Worship Act 1855;
- d) a place of meeting for members of the Society of Friends; or
- e) a Jewish synagogue.

4.3 Both (a) and (b) include a Cathedral Church.

4.4 Authorities should be aware that some premises may be shared by two or more religious groups or denominations. Further information is included in paragraph 4.12.

4.5 The premises will be approved for the registration of civil partnerships and the built premises must be regularly available to the public for use for that purpose. However, there may be circumstances in which the proprietor or trustee of the premises has some flexibility in this regard and may, for instance, restrict use of the premises for civil partnership registrations to followers of the faith worshipped in the premises.

4.6 As of 2 December 2019, applications for religious premises to be approved for civil partnerships must specify if the approval required is for the registration of civil partnerships between two people of the same sex, the opposite sex or civil partnerships generally (i.e. two people whether of the same or opposite sex).

## **Other requirements before an application can be considered**

4.7 In addition to the requirements in Part One, the proprietor or trustee {the applicant} must satisfy the authority that the necessary consent or consents from the relevant governing authority for the religious organisation(s) concerned have been provided to allow the application to be made. A standard application form that can be reproduced by authorities is contained at Annex I.

4.8 The 2011 Regulations set out who should provide these consents in respect of the types of premises listed in Schedule A1 to the Regulations, Annex G to this document. So, for example if an application is made in respect of a church or chapel of the Church of England; the consent of the General Synod must be provided. Where no consent is required (e.g. currently in the case of the Society of Friends) this is indicated in the Schedule.

4.9 Authorities should be aware that consents may be general or specific: a religious organisation may have consented generally to any of its religious premises seeking approval or it may consent on a case-by-case basis. It is the applicant's responsibility to ensure the correct consent is included; also specifying whether they are consenting to civil partnerships between two people of the same sex, the opposite sex or civil partnerships generally. This may for instance be in the form of a letter from the governing authority of the religious organisation.

4.10 Where an application is being made in respect of a type of religious premises not specified in Schedule A1, the applicant will need to provide the consent of the governing authority of the religious organisation for whose religious purposes the premises are used. The governing authority is the body that the members of that religious organisation recognise as competent to give consent. It is up to the applicant to ensure that the proper consents are obtained. Authorities should be aware that in some cases (e.g. independent churches) the governing authority may be the congregation or a committee of the congregation itself.

4.11 In some cases, governing authorities may have decided that their consent is not required for each premises. In such cases (and including where consent is not required as described in 4.6) the application must include a signed statement to this effect.

## **Shared premises**

4.12 The Regulations make specific provision in respect of religious premises that are shared under the Sharing of Church Buildings Act 1969. In these cases, there is a formal sharing agreement and the consent of all the "sharing Churches" must be included with the application. That Act also covers chapels in public places such as hospitals which may also be used by a number of different Churches. Again, the consents of all the Churches must be included.

4.13 Separately provision is also made for religious premises that are otherwise used by more than one religious organisation. Premises may for example be of one or more types described in Schedule A1 (Annex G) and/or used by one or more other religious organisations. Again, in these circumstances the consent of all the relevant governing authorities (and/or bodies specified in the Schedule) will be required.

4.14 The onus is entirely on the applicant to provide evidence that they have the necessary consents to make the application and where no consent is required, they will be required to complete a statement to this effect on the application form. Authorities will be able to check on the Registrar General's official list of places of worship and other religious premises to determine the religious organisation that the premise is registered as belonging to.

### **The application process**

4.15 The processes are as described in Part One, with the additional requirement for the applicant to provide evidence to the authority that they have obtained the necessary consents described in paragraphs 4.7 to 4.14. Unlike with secular premises where the authority is required to inspect the premises, in respect of religious premises it need not do so if it decides it is not necessary (this may be because for example the premises are already used for marriages). However, it is for individual authorities to determine whether or not inspection of particular premises is necessary.

4.16 Though the Regulations do not require the applicant to inform the congregation, or congregations of the premises that they intend to apply for the premises to be approved for civil partnership registrations, it is strongly advised as good practice that this approach be followed. Best practice would also be for applicants to take other steps such as making the application available for public display in their premises.

### **Objections**

4.17 The processes are as described in Part One. It is not intended that authorities get involved in any disputes within religious organisations on individual applications for premises to be approved. The processes described in paragraphs 4.7 to 4.14, the use of a standard application and the recommendation for premises to consult with their congregation prior to the application are all intended to prevent authorities getting involved in any disputes.

### **Granting approvals**

4.18 The processes are the same as in Part One. The information contained in Annexes B and D should be attached to the approval.

### **Expiry and renewal of approval**

4.19 The processes are as described in Part One.

### **Revocation**

4.20 The processes are as described in Part One with the following additions:

- The authority must revoke an approval if it is notified that the required consent, has or will be withdrawn; or
- In respect of premises that did not previously require it, that consent is now or will be required.
- An authority must revoke the approval immediately, to take effect on the day following which the notification has been received, or on the day on which consent will be withdrawn (whichever is later).

## **Reviews**

4.21 The processes are as described in Part One. Annex D together with Annex F contain the standard conditions to be attached to the approval. They cover such matters as the layout of the premises, the consumption of food or drink, that the proceedings (the civil partnership registration) must not be religious in nature and that public access to the proceedings must be allowed without charge.

## **Register of approved premises**

4.22 The processes are as described in Part One.

## **Fees**

4.23 The guidance is as described in Part One, with the additional consideration that where a minister of religion is designated as a civil partnership registrar, the authority will need to consider its position in relation to the costs of providing the civil partnership registrar to attend and the fee that it may therefore charge.

## Part four – other guidance

5.1 This section provides some general guidance for members of the public who wish to solemnize a marriage or register a civil partnership on approved premises. The guidance focuses on the process, rather than matters such as who is able to marry or register a civil partnership.

### Guidance for those who wish to marry on approved premises

5.2 As soon as a couple have made provisional arrangements for their marriage on approved premises, they should be advised to contact the superintendent registrar for the district in which the premises are situated. This contact information should be available on the individual authority's website.

5.3 Without the presence of this superintendent registrar and a registrar there can be no marriage and any arrangements for the use of the premises depend entirely on their availability. It is, therefore, essential that the couple make an advance booking with this superintendent registrar for their attendance at their proposed marriage as soon as a booking can be accepted.

5.4 Where a couple proposes to marry in the linked outdoor areas of the premises, the proposed location for the proceedings should be discussed in advance with the approved premises. The superintendent registrar must agree prior to the proceedings that the location where the proceedings take place is seemly and dignified.

5.5 The couple will also have to give a notice of marriage to the superintendent registrar(s) of the district(s) in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a twenty-eight day waiting period after notice has been given before the marriage can take place.

5.6 If either of the couple is subject to immigration control, there will be further procedures to take before notice of marriage can be given and which may result in the extension of the twenty-eight days mentioned above to seventy days. The local superintendent registrar can advise further on these procedures.

5.7 The couple should be warned that any arrangements made for a marriage to take place on the approved premises are dependent on:

- the attendance of the superintendent registrar and a registrar for the district in which the premises are situated; and,
- the issue of the authority or authorities for marriage by the superintendent registrar(s) to whom notice of marriage was given.

5.8 When notice is given in a different registration district from the one where the marriage is taking place, the couple may wish to collect the schedule for marriage before the ceremony and ensure that it is delivered to the registrar who is to attend the ceremony. However, the schedule will be issued and printed by the district where the marriage will take place, so there is no 'requirement' for the couple to collect the schedule.

5.9 The couple should be advised that only a civil, non-religious ceremony can be permitted by the superintendent registrar. The content of the ceremony must be agreed in advance with the superintendent registrar who will be attending the ceremony. The superintendent registrar must also provide prior agreement that the location at which the proceedings are to be held are seemly and dignified.

5.10 Any rights of copyright for music, readings etc. permitted at the ceremony are a matter for the couple and the holder of the approval.

### **Guidance for those who wish to register a civil partnership on approved premises**

5.11 As soon as a couple have made provisional arrangements for their civil partnership on approved premises they should be advised to contact the authority for the area in which the premises are situated. This contact information should be available on the individual authority's website.

5.12 Without the presence of the civil partnership registrar there can be no civil partnership registration and any arrangements for the use of the premises depend entirely on his or her availability. It is, therefore, essential that the couple make an advance booking with the civil partnership registrar for his or her attendance at their proposed registration as soon as a booking can be accepted.

5.13 Where a couple proposes to register a civil partnership in the linked outdoor areas of the premises, the proposed location for the proceedings should be discussed in advance with the approved premises. Where the proceedings are to be held in linked outdoor areas, the authority must also provide prior agreement that the location at which the proceedings are to be held are seemly and dignified.

5.14 The couple will also have to give a notice of civil partnership to an authorised person of the authority in which they live. This notice must be given in person by each of the couple and is valid for twelve months. The couple should, therefore, attend the register office(s) where they live as soon as notice can be given. There is a twenty-eight day waiting period after notice has been given before the civil partnership can take place.

5.15 If either of the couple is subject to immigration control, there will be further procedures to take before notice of civil partnership can be given and, which may result in the extension of the twenty-eight days mentioned above to seventy days. The authority can advise further on this.

5.16 The couple should be warned that any arrangements made for a civil partnership to take place on the approved premises are dependent on:

- the attendance of the civil partnership registrar for the area in which the premises are situated; and,
- the issue of the civil partnership schedule by the authority for the area in which the premises are situated.

5.17 The couple should be advised that only a civil, non-religious registration can be permitted by the civil partnership registrar. The contents of any proceedings should be agreed in advance by the civil partnership registrar who will be attending the registration. If the parties wish to have a ceremony before or after the registration of their civil partnership, this should proceed as discussed and agreed with the authority prior to registration. Where the registration is taking place on approved religious premises, the parties should discuss and agree how any religious ceremony can precede or follow the registration. The civil partnership registrar will not be acting as a civil partnership registrar during any such ceremony. Where the proceedings are to be held in linked outdoor areas, the authority must also provide prior agreement that the location at which the proceedings are to be held are seemly and dignified.

5.18 Any rights of copyright for music, readings etc. permitted at the registration are a matter for the couple and the holder of the approval.

### **Designation of civil partnership registrars**

5.19 A civil partnership registrar is a person who is designated by an authority as a civil partnership registrar for its area. Under the Registration of Births, Deaths and Marriages Regulations 1968 a minister of religion or authorised person is precluded from also acting as a registrar of marriages. There is no such restriction under civil partnership legislation although the designation of such persons will be for the purely secular role of civil partnership registrar.

5.20 The designation of civil partnership registrars is entirely a matter for individual authorities. Any minister of religion or authorised person for approved premises who wishes to be designated as a registrar in this capacity should approach their authority accordingly.

5.21 Authorities will need to have due regard to issues such as security in accessing computer systems and the requirement for the registration itself to be an entirely secular event when considering any designation but the fact that an individual is a minister of religion should not be an automatic bar against considering appointing them as civil partnership registrars. However, authorities may also expect a civil partnership registrar to attend and register civil partnerships elsewhere, including at secular locations.

5.22 If a minister of religion is acting as a civil partnership registrar for the registration of a civil partnership on religious premises, the registration may only proceed if the minister is leading the proceedings solely in the secular capacity as civil partnership registrar. No religious ceremony



is allowed while the civil partnership registrar is acting in that capacity during the proceedings. On the day, any ceremony which takes place before or after the civil partnership registration should be clearly identified as such and be separate from the civil partnership registration.

## Annexes

### Annex A

#### Schedule 1

#### **Requirements for the grant of approval of premises that are not religious premises**

1. Having regard to their primary use, situation, construction and state of repair, the built premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. The built premises must be regularly available to the public for use for:
  - the solemnization of marriages; or
  - the formation of civil partnerships.
3. The built premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the built premises as the authority considers appropriate.
4. The premises must not be:
  - a) religious premises;
  - b) premises where the built premises are a register office <sup>2</sup>, but this paragraph does not apply to premises where a register office is situated in the built premises, provided that the room which is subject to approval is not the same room as the room which is the register office.
5. The room or rooms in which the proceedings are to take place in the built premises if approval is granted must be identifiable by description as a distinct part of the built premises.

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<sup>2</sup> For the meaning of "register office" see the 2004 Act, section 6(3C). Section 6(3C) was inserted into the 2004 Act by paragraph 2(2) of the Schedule to the Civil Partnership (Amendments to Registration Provisions) Order (S.I. 2005/2000).

## Annex B

### Schedule 1A

#### Requirements for the grant of approval of religious premises

1. Having regard to their primary use, situation, construction and state of repair, the built premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.

Except in so far as section 196 of, and paragraph 2 of Schedule 23 to, the Equality Act 2010<sup>3</sup> may apply, the built premises must be regularly available to the public for the formation of civil partnerships.

2. The built premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of the persons employed in or visiting the built premises as the authority considers appropriate.

3. The room or rooms in which the proceedings are to take place in the built premises if approval is granted must be identifiable by description as a distinct part of the built premises.

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<sup>3</sup> 2010 c. 15; section 196 and Schedule 23 make provision for general exceptions to the Act. Paragraph 2 provides exceptions in respect of organisations relating to religion or belief.

## **Annex C**

### **Schedule 2**

#### **Conditions to be attached to grants of approval of premises that are not religious premises**

1. The holder of the approval must ensure that there is at all times an individual with responsibility for ensuring compliance with the conditions attached to the approval and those conditions set out in Schedule 2B (“the responsible person”) and that the responsible person’s occupation, seniority, position of responsibility in relation to the premises, or other factors (his “qualification”), indicate that he is in a position to ensure compliance with the conditions attached to the approval.
2. The responsible person or, in his absence, an appropriately qualified deputy appointed by him, shall be available on the premises for a minimum of one hour prior to and throughout each of the proceedings.
3. The holder must notify the authority:
  - a) of his name and address immediately upon him becoming the holder of an approval under regulation 7(2); and
  - b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.
4. The holder must notify the authority immediately of any change to any of the following:
  - a) the layout of the premises, as shown in the plan submitted with the approved application, or in the use of the premises;
  - b) the name or full postal address of the approved premises;
  - c) the description of the room or rooms in which the proceedings are to take place;
  - d) the name or address of the holder of the approval; and
  - e) the name, address or qualification of the responsible person.
5. The approved premises must be made available at all reasonable times for inspection by the authority.
6. For the purposes of proceedings held in the built premises, a suitable notice stating that the premises have been approved for the proceedings and identifying and giving directions to the room in which the proceedings are to take place must be displayed at each public entrance to the built premises for one hour prior to and throughout the proceedings.

7. (1) For the purposes of proceedings held in the built premises, save as provided below, no food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings.

(2) Non-alcoholic drinks may be consumed prior to the proceedings.

8. All proceedings held in the built premises must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved application.

9. For the purposes of proceedings held in the built premises, the room in which the proceedings are to take place must be separate from any other activity on the built premises at the time of the proceedings.

10. The arrangements for and content of the proceedings must meet with the prior approval of the superintendent registrar of the district in which the approved premises are situated, or authority, as the case may be.

11. (1) Any proceedings conducted on approved premises shall not be religious in nature.

(2) In particular, the proceedings shall not:

- a) include extracts from an authorised religious marriage service or from sacred religious texts;
- b) be led by a minister of religion or other religious leader;
- c) involve a religious ritual or series of rituals;
- d) include hymns or other religious chants; or,
- e) include any form of worship.

(3) But the proceedings may include readings, songs, or music that contain an incidental reference to a god or deity in an essentially non-religious context.

(4) For this purpose, any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the proceedings.

12. Public access to any proceedings in approved premises must be permitted without charge.

13. Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the authority as a venue for marriage in pursuance of section 26(1)(bb) of the 1949 Act \*and the formation of civil partnerships under section 6(3A)(a) of the 2004 Act but shall not state or imply

any recommendation of the premises or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.

14. If a change of name to the approved premises occurs after the issue of the schedule for marriage or the civil partnership, but before the proceedings, the former name of the approved premises as recorded in the marriage or the civil partnership schedule shall remain valid for its duration for the purpose of the proceedings.

## Annex D

### Schedule 2A

#### Conditions to be attached to grants of approval of religious premises

1. The holder of an approval must ensure that there is at all times an individual with responsibility for ensuring compliance with the conditions attached to the approval and those conditions set out in Schedule 2C (“the responsible person”) and that the responsible person’s occupation, seniority, position of responsibility in relation to the premises, or other factors (his or her “qualification”), indicate that he or she is in a position to ensure compliance with the conditions attached to the approval.
2. The responsible person or, in the responsible person’s absence, an appropriately qualified deputy appointed by the responsible person, must be available on the premises for a minimum of one hour prior to and throughout the proceedings.
3. The holder of an approval must notify the authority:
  - a) of his or her name and address immediately upon becoming the holder of an approval under regulation 7(2); and
  - b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.
4. The holder of an approval must notify the authority immediately of any change to any of the following:
  - a) the layout of the premises, as shown in the plan submitted with the approved application;
  - b) the name or full postal address of the approved premise;
  - c) the description of the room or rooms in which the proceedings are to take place;
  - d) the name or address of the holder of the approval; and
  - e) the name, address or qualification of the responsible person.
5. The holder of an approval must notify the authority immediately if the premises cease to be religious premises within the meaning of regulation 5(1B).
6. The holder of an approval must notify the authority immediately if a sharing Church withdraws from a sharing agreement or if a Church that uses a shared building ceases to do so.
7. The holder of an approval must notify the authority immediately if a required consent has been or is going to be withdrawn and the date on which it was or is to be withdrawn.

8. Where consent was not previously required, the holder of an approval must notify the authority immediately if consent is now or will be required and the date from which it was or will be required.
9. The approved premises must be made available at all reasonable times for inspection by the authority.
10. For the purposes of proceedings held in the built premises, a suitable notice stating that the premises have been approved for the proceedings and identifying and giving directions to the room in which the proceedings are to take place must be displayed at each public entrance to the built premises for one hour prior to and throughout the proceedings.
11. (1) For the purposes of proceedings held in the built premises, save as provided below, no food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings.
- (2) These are the exceptions to the prohibition above:
- a) the consumption of food or drink as a part of any religious ceremony that takes place prior to the proceedings;
  - b) the consumption of non-alcoholic drinks prior to the proceedings.
12. All proceedings held in the built premises must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved application.
13. For the purposes of proceedings held in the built premises, the room in which the proceedings are to take place must be separate from any other activity on the premises at the time of the proceedings.
14. The arrangements for and content of the proceedings must meet with the prior approval of the authority.
- 15 (1) The proceedings conducted on the approved premises may not be religious in nature.
- (2) In particular, the proceedings may not:
- a) include extracts from an authorised religious marriage service or from sacred religious texts;
  - b) be led by a minister of religion or other religious leader (unless that person is also a civil partnership registrar and is leading the proceedings solely in that capacity);
  - c) involve a religious ritual or series of rituals;
  - d) include hymns or other religious chants; or
  - e) include any form of worship.



(3) But the proceedings may include readings, songs, or music containing an incidental reference to a god or deity in an essentially non-religious context.

16. Public access to any proceedings in approved premises must be permitted without charge.

17. Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the authority as a venue for the formation of civil partnerships under section 6(3A)(a) of the 2004 Act but must not state or imply any recommendation of the premises or its facilities by the authority, the Registrar General or any of the officers or employees or either of them.

18. If a change of name to the approved premises occurs after the issue of the civil partnership document but before the proceedings, the former name of the approved premises as recorded in the civil partnership document remains valid for the purposes of the proceedings.

## **Annex E**

### **Schedule 2B - regulation 6(1)(a)**

#### **Conditions to be attached to grants of approval of premises which are not religious premises relating to proceedings held in linked outdoor areas**

1. For the purposes of proceedings held in the linked outdoor areas, prior confirmation must be secured from the superintendent registrar of the district in which the approved premises are situated, or the authority, as the case may be, that in their opinion, having regard to the primary use, situation, construction and state of repair, the proceedings will take place in a seemly and dignified location within the linked outdoor areas.

2. The location within the linked outdoor areas at which the proceedings take place must be identifiable by description.

3. (1) For the purposes of proceedings held within the linked outdoor areas, save as provided below, no food or drink may be sold to or permitted to be consumed by persons attending the proceedings:

- a) when gathering for the purposes of the proceedings; or
- b) during the proceedings.

(2) Non-alcoholic drinks may be permitted to be consumed prior to the proceedings.

4. For the purposes of proceedings held within the linked outdoor areas, a suitable notice stating:

- a) that the premises have been approved for the proceedings;
- b) the description of the location within the linked outdoor areas at which the proceedings are to take place; and
- c) directions to the location within the linked outdoor areas at which the proceedings are to take place;

must be displayed at each public entrance to the premises and the built premises for one hour prior to and throughout the proceedings.

## **Annex F**

### **Schedule 2C - regulation 6(1)(aa)**

#### **Conditions to be attached to grants of approval of religious premises relating to proceedings held in linked outdoor areas**

1. For the purposes of proceedings held in the linked outdoor areas, prior confirmation must be secured from the authority that in their opinion, having regard to the primary use, situation, construction and state of repair, the proceedings will take place in a seemly and dignified location within the linked outdoor areas.
2. The location within the linked outdoor areas at which the proceedings take place must be identifiable by description.
3. (1) For the purposes of proceedings held within the linked outdoor areas, save as provided below, no food or drink may be sold to or permitted to be consumed by, persons attending the proceedings:
  - a) when gathering for the purposes of the proceedings; or
  - b) during the proceedings.(2) These are the exceptions to the prohibition above:
  - a) the consumption of food or drink as a part of any religious ceremony that takes place prior to the proceedings;
  - b) the consumption of non-alcoholic drinks prior to the proceedings.
4. For the purposes of proceedings held within the linked outdoor areas, a suitable notice stating:
  - a) that the premises have been approved for the proceedings;
  - b) the description of the location within the linked outdoor areas at which the proceedings are to take place; and
  - c) directions to the location within the linked outdoor areas at which the proceedings are to take place;

must be displayed at each public entrance to the premises and the built premises for one hour prior to and throughout the proceedings.

## Annex G

### Schedule A1

#### Persons who must consent to an application for approval of religious premises

Table

| <b>Description of religious premises</b>                             | <b>Person or description of person who must consent to</b>                 | <b>Consent not required</b> |
|--|--|-----------------------------|
| Place of meeting for religious worship of the Roman Catholic Church  | General Secretary of the Catholic Bishops' Conference of England and Wales |                             |
| Church or chapel of the Church of England                            | General Synod  |                             |
| Church or chapel of the Church in Wales                              | Governing Body of the Church in Wales                                      |                             |
| Place of meeting for religious worship of the Methodist Church       | Conference of the Methodist Church   |                             |
| Place of meeting for religious worship of the United Reformed Church | General Assembly of the United Reformed Church                             |                             |
| Place of meeting for members of the Society of Friends               |  | Consent not required        |

## Annex H

### Draft application form and notes – secular premises

Application form for premises to be approved as a venue for marriages in pursuance of section 26(1)(bb) of the Marriage Act 1949 and civil partnerships in pursuance of section 6(3A)(a) of the Civil Partnership Act 2004.

This application must be made by the proprietor or a trustee of the premises. If successful, the applicant will be the holder of the approval. When completed, it should be forwarded to the Proper Officer for Registration Matters at .....,

together with the appropriate fee payable to.....

1. I/[ ] apply[applies] for the premises named at item 2 overleaf to be approved for the solemnization of marriages and the registration of civil partnerships.
2. I attach 3 copies of a plan of the premises showing all the room(s) in which it is intended that marriages or civil partnerships will take place.
3. I understand that:
  - a) the premises will be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
  - b) public notice of the application will be given by advertisement in a newspaper with a period of three weeks for objections; and/or the notice will appear on the authority's website for the same period and that the authority may also decide to publish it in other ways if it considers it necessary to do so;
  - c) approval, if granted, will be for a period determined by the authority and will be subject to revocation. It will be for no less than three years; and
  - d) the authority will need to be satisfied that appropriate health and safety provision and fire safety is in place.
4. I declare that:
  - a) I have read and understood the information contained in this form and Annexes {A, C and E to this guidance};
  - b) the premises are not religious premises;
  - c) the built premises are not a register office (or, where a register office is situated in the premises that is not the room that is the subject of this application); and

d) I have consulted the planning authority as to whether planning consent is required and attach evidence that it is content that the built premises may be used for marriages and civil partnerships.

5. I further declare that if approval is granted:

a) subject to any exemptions in the Equality Act 2010 (see paragraphs 2.17 - 2.21 of this guidance) the premises will be regularly available for public use for the solemnization of marriages and the registration of civil partnerships; and

I will comply with both the standard conditions {Annex C together with Annex E of this guidance} and any further conditions that the authority considers reasonable <sup>4</sup> that are attached to the approval.

|  |  |
|--|--|
| <p>1. Full names and private addresses of applicant. If the application is made by a limited company (or other incorporated business) please give the address of the registered office and where different state also the main trading address of the company.</p> |  |
| <p>2. Name, postal address and telephone number of the premises which are the subject of this application.</p>   |  |
| <p>3. Please describe the nature of the premises referred to in question 2 (e.g. hotel, stately home, civic accommodation) and the primary and other uses to which they are regularly put.</p>   |  |
| <p>4. Is the person or company named in reply to question 1 the occupier of the premises?</p>  |  |

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<sup>4</sup> An authority may attach such further conditions to an approval as it considers reasonable in order to ensure that the facilities provided at the premises are suitable and that proceedings on the premises do not give rise to a nuisance of any kind

|  |  |
|--|--|
| 5. If the answer to question 4 is 'No' and there is another occupier, please give their name(s) and address(es)  |  |
| 6. Please state here the maximum number of people permitted by the premises' fire risk assessment to occupy each room in which the proceedings are intended to be held.  |  |
| 7. Do the premises currently have the benefit of any licence issued under the Licensing Act 2003 which may be relevant to this application (for the provision of regulated entertainment). If so please attach a copy. |  |

Signature of applicant:

Date:

Interest in the premises:

If applying on behalf of a company or other incorporated business please state position in company address for correspondence, contact telephone number and email address:

Notes on the requirements for an approval to be granted {An authority may choose to include this with any application form}

The requirements for approved premises are established by the Marriage and Civil Partnerships (Approved Premises) Regulations 2005 and Amendment Regulations (referred to in these notes as the Regulations). It is these that the authority must apply when considering an application for approval.

The non-returnable fee for this application is £ and must be submitted with the application to the proper officer for Registration Matters at .....

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company, or other incorporated business there should be a separate statement of the names and addresses of all the directors.

**The built premises must fulfil the following standard requirements in the Regulations:**

1. Having regard to their primary use, situation, construction and state of repair, the built premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. Subject to any exemptions in the Equality Act 2010 (see paragraphs 2.17 - 2.21 of this guidance), the built premises must be regularly available to the public for use for the solemnization of marriages and the registration (formation) of civil partnerships.
3. The built premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the built premises as the authority considers appropriate.
4. The built premises must not be a register office, but this paragraph does not apply to premises where the built premises are a register office is situated in the built premises provided that the room which is subject to approval is not the same room as the room which is the register office.
5. The room or rooms in which the proceedings (marriage or civil partnership) will be held in the built premises, if approval is granted, must be identifiable by description as a distinct part of the built premises.

**The premises must also fulfil the authority's following requirements:**

In considering the suitability of built premises as a venue, the authority will have due regard to the following guidance from the Registrar General:

1. The law relating to "approved premises" is intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, religious premises and similar built premises without compromising the solemnity of the occasion.
2. Built premises are defined in the Regulations as a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored. "Linked outdoor areas" means any areas within the boundary of the land of which the built premises form part, which are not indoors and which may be used in common with the built premises. "Premises" as now amended are defined as built premises together with linked outdoor areas. Any premises outside this definition, such as most forms of transport, will not be eligible for approval.
3. An area is indoors if it is a space which is considered to be enclosed, or substantially enclosed. Spaces are enclosed if they have a ceiling or roof; and except for doors, windows and passageways, are wholly enclosed either permanently or temporarily. Spaces are substantially enclosed if they have a ceiling or roof but there is an opening in the walls or an aggregate area of openings in the walls which is less than half of the area of the walls, including other structures



that serve the purposes of walls and constitute the perimeter of the premises. Openings in which there are windows, doors or other fittings that can be opened or shut cannot be considered in determining the area of an opening or aggregate areas of openings.

4. The built premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those built premises. The primary use of a building would render it unsuitable if that use would demean any proceedings or bring them into disrepute.

5. The built premises must not be any part of a register office on the plan submitted by the authority and approved by the Registrar General under the Registration Service Act 1953. Any rooms in the same premises as the register office that aren't on this plan, e.g. a council chamber in the same Town Hall, can be approved but a room in a register office cannot be approved. However, an authority can set its fee for attending a marriage or civil partnership on approved premises at the same level as the prescribed fee for a marriage or civil partnership in a register office.

6. The requirement that the built premises must be regularly available for use by the public will preclude a private house from being approved.

## Annex I

### Draft application form and notes for religious premises

Application form for premises to be approved as a venue for civil partnerships in pursuance of section 6A(3C) of the Civil Partnership Act 2004.

This application must be made by the proprietor or a trustee of the premises. If successful, the applicant will be the holder of the approval. When completed, it should be forwarded to the Proper Officer for Registration Matters at..... , together with the appropriate fee payable to.....

1. I/[ ] apply [applies] for the premises named at item 2 overleaf, to be approved for registration:

(tick one box only)

In relation to civil partnerships generally,   
(i.e. formed by two people of the same or opposite sex); or

Only in relation to civil partnerships formed by two people of the same sex; or

Only in relation to civil partnerships formed by two people of the opposite sex.

2. I attach 3 copies of a plan of the premises showing all the room(s) in which it is intended that civil partnerships will take place within the built premises.

3. I understand that-

- a) the built premises may be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
- b) public notice of the application will be given by advertisement in a newspaper with a period of three weeks for objections; and/or the notice will appear on the authority's website for the same period and that the authority may also decide to publish it in other ways if it considers it necessary to do so.
- c) approval, if granted, will be for a period determined by the authority and will be subject to revocation. It will be for no less than three years, and
- d) the authority will need to be satisfied that appropriate health and safety provision and fire safety is in place.

4. I.....[Name].....[Position–  
Trustee/Proprietor] {complete the appropriate section below}

a) attach the written consent of .....

..... (Name and address of the person specified or governing authority), to the application for approval of the religious premises for either civil partnerships generally, or civil partnerships formed by two people of the same sex; or formed by two people of the opposite sex (the consent must specify which) or

b) confirm that consent is not required.

c) if the built premises are shared with other faith groups or Churches then ensure that sections (d) and (e) are completed (as many times as necessary) as appropriate below:-

d) attach the written consent of.....

..... (Name and address of the person specified or governing authority), or

e) confirm that no consent is required.

Where you have stated that consent is not required (in respect of one or more users) please complete the declaration below: The statement[s] in paragraph (b) [insert other paragraphs as appropriate] is [are] true to the best of my knowledge and belief.

.....

Signed: applicant

5 I declare that -

- a) I have read and understood the information contained in this form and Annexes {B, D and F to this guidance};
- b) the built premises are not a register office (or, where a register office is situated in the premises that is not the room that is the subject of this application);
- c) I have consulted the planning authority as to whether planning consent is required and attach, where it is required, that it is content that the built premises may be used for civil partnerships.

6. I further declare that, if approval is granted, I will comply with the standard conditions {Annex D together with Annex F to this guidance} and any local conditions that the authority considers reasonable <sup>5</sup> that are attached to the approval.

|  |  |
|--|--|
| <p>1 Full names and private addresses of applicant. If the application is made by a limited company (or other incorporated business) please give the address of the registered office and where different state also the main trading address of the Company</p> |  |
| <p>2. Name, postal address and telephone number of the premises which are the subject of this application.</p>   |  |
| <p>3. If the premises are certified for religious worship under the Places of Worship Registration Act 1855 or registered for the solemnisation of marriages under the Marriage Act 1949, then please quote the certification/registration number.</p>           |  |
| <p>4. Please describe the nature of the built premises at question 2 (e.g. Parish Church, Synagogue) and the primary and other uses to which it is regularly put.</p>  |  |
| <p>5. If the built premises are shared with other faith groups, then please state the details of any sharing arrangements, either formal or informal.</p>  |  |
| <p>6. Is the person or company named in reply to question 1 the trustee/proprietor of the premises?</p>  |  |

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<sup>5</sup> An authority may attach such further conditions to an approval as it considers reasonable in order to ensure that the facilities provided at the premises are suitable and that proceedings on the premises do not give rise to a nuisance of any kind.

|  |  |
|--|--|
| 7. If the answer to question 6 above is 'No' and there is another person qualified as trustee or proprietor, please give their name(s) and address(es)   |  |
| 8. Please state here the maximum number of people permitted to occupy each room in which the proceedings are intended to be held, under your fire risk assessment.   |  |
| 9. Do the built premises currently have the benefit of any licence issued under the Licensing Act 2003 which may be relevant to this application (for the provision of regulated entertainment). If so please attach a copy. |  |

Signature of applicant: \_\_\_\_\_ Date: \_\_\_\_\_ Interest in the premises:  
Address for correspondence, contact telephone number and email address.

**Notes on the requirements before an approval can be granted {An authority may choose to include this with any application form}**

The requirements for approved premises are established by the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 and Amendment Regulations. It is these that the authority must apply when considering an application for approval.

The non-returnable fee for this application is £ and must be submitted with the application to the proper officer for Registration Matters at .....

The application must be made by the proprietor or trustee of the premises. When made on behalf of a limited company, or other incorporated business there should be a separate statement of the names and addresses of all the directors.

### **The built premises must fulfil the following standard requirements in the Regulations:**

1. Having regard to their primary use, situation, construction and state of repair, the built premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. The built premises must be regularly available to the public for the formation of civil partnerships<sup>6</sup>.
3. The built premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of persons employed in or visiting the built premises as the authority considers appropriate.
4. The room or rooms within the built premises in which the proceedings are to take place if approval is granted must be identifiable by description as a distinct part of the built premises.

### **The premises must also fulfil the following requirements set by the authority:**

In considering the suitability of built premises as a venue, the authority will have due regard to the following guidance from the Registrar General:

1. The laws relating to “approved premises” are intended to allow proceedings to take place regularly in hotels, stately homes, civic halls, similar built premises and religious premises without compromising the solemnity of the occasion.
2. Built premises are defined in the Regulations as a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored. “Linked outdoor areas” means any areas within the boundary of the land of which the built premises form part, which are not indoors and which may be used in common with the built premises. “Premises” as now amended are defined as built premises together with linked outdoor areas. Any premises outside this definition, such as most forms of transport, will not be eligible for approval.
3. Religious premises are:
  - Built premises which are used solely or mainly for religious premises; or
  - Have been so used and have not subsequently been used solely or mainly for other purposes.

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<sup>6</sup> Holders of approval for religious premises may decide to limit the use of those premises to persons of the same faith. Such restrictions will be permissible and acceptable for the purposes of approving the premises in so far as they do not discriminate on grounds of religion or belief within the meaning of the Equality Act 2010.

They must also satisfy the requirements for premises described in paragraph 2 above. For the purposes of religious premises, only the following types of built premises may be approved under the Regulations:

- a) a church or chapel of the Church of England;
- b) a church or chapel of the Church in Wales;
- c) a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Worship Registration Act 1855;
- d) a place of meeting for members of the Society of Friends; or
- e) a Jewish synagogue.

4. The Regulations make specific provision in respect of built premises that are shared. These may be shared Churches under the Sharing of Church Buildings Act 1969 or chapels in places such as hospitals and universities that are also used by two or more Churches under that Act. Provision is also made where less formal sharing arrangements may exist but where built premises are nevertheless used for the religious purposes of more than one religious organisation or faith group. In all cases the consent of all relevant governing authorities will be required. The premises must be a seemly and dignified venue for the proceedings, which must take place in an identifiable and distinct part of those premises. The primary use of a building would render it unsuitable if that use could demean proceedings or bring them into disrepute.

5. The definition of religious premises in 3. (above) would prohibit a private house from being approved. Public access to the premises must be provided during the civil partnership registration.

#### **Other Notes:**

- 1. When you have submitted the application to the local authority it would be good practice to ensure that a copy of application form is displayed on the premises until the application has been determined.
- 2. If as a result of the display of this form, it is brought to your attention that an individual or group wishes to object to the proposed use of the building, then you should refer that person/group to your local authority.
- 3. If you have any questions about complying with the conditions of an approval then please contact your local authority for further advice.

## Annex J

### Notification of approval for secular premises

Notification of approval of premises as a venue for marriages in pursuance of section 26(1)(bb) of the Marriage Act 1949 and as a venue for civil partnerships in pursuance of section 6(3A)(a) of the Civil Partnership Act 2004

Name of authority

has granted approval for the premises shown below to be used for the solemnization of marriages \*and the registration of civil partnerships under the provisions of section 26(1)(bb) of the Marriage Act 1949 and section 6(3A)(a) of the Civil Partnership Act 2004.

Name and full postal .....

address of the approved Premises.....

.....

.....

Name and full postal .....

address of the holder of .....

this approval.....

.....

Marriages in the presence of a superintendent registrar and registrar, and civil partnerships in the presence of a civil partnership registrar, may take place in the room(s) shown on the plan of the built premises, and at locations within the boundaries of any linked outdoor areas also shown on the plan, subject to the conditions attached to this approval {Annexes A, C and E to this guidance}.

This grant of approval will continue, subject to revocation, until the ..... day of

.....

Application for a renewal of approval may be made on or after .....



The holder of this approval must now notify the authority of the name, qualification and full postal address of the responsible person. This person must be qualified in accordance with the Regulations (see Annex C, Condition 1). If at any time a new responsible person is appointed the holder must immediately notify the authority of his or her details as above.

This approval is granted by Name of authority

on this.....day of.....

To be accompanied by:

A copy of the plan submitted with the application marked with the room(s) which have been approved (to be attached by the local authority).

Annex A a copy of the requirements for the grant of approval.

Annex C&E a copy of the standard and any further conditions.

## Annex K

### Notification of approval for religious premises

Notification of approval of religious premises as a venue for civil partnerships in pursuance of section 6(3A)(a) of the Civil Partnership Act 2004

Name of authority

Has granted approval for the premises shown below to be used for the registration of civil partnerships generally; in relation to civil partnerships formed by two people of the same sex; or civil partnerships formed by two persons of the opposite sex (insert as appropriate) under the provisions of sections 6(3A)(a) of the Civil Partnership Act 2004.

Name and full postal .....

address of the approved Premises.....

.....

.....

Name and full postal .....

address of the holder of .....

this approval.....

.....

Civil partnerships in the presence of a civil partnership registrar may take place in the room(s) shown on the plan of the built premises, and at locations within the boundaries of any linked outdoor areas also shown on the plan, subject to the conditions attaching to this approval {Annexes B, D and F of this guidance}.

This grant of approval will continue, subject to revocation, until the ..... day of

.....

Application for a renewal of approval may be made on or after .....

The holder of this approval must now notify the authority of the name, qualification and full postal address of the responsible person. This person must be qualified in accordance with the Regulations (see Annex D, Condition 1). [see above]

This approval is granted by Name of authority

on this.....day of .....

To be accompanied by:

A copy of the plan submitted with the application marked with the room(s) which have been approved (to be attached by the local authority).

Annex B a copy of the requirements for the grant of approval

Annex D&F a copy of the standard and any local conditions.



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