

Oxford Diocesan Registry



Marriage of Foreign Nationals - Post 2 March 2015

As you will be aware, from 2 March 2015 all non-European Economic Area (non-EEA) nationals need to be married by a Marriage Schedule (previously Superintendent Registrar's Certificates).

Initial Approach

When clergy are first approached by a couple you should ask to see:

- both their passports,
- evidence of their address(es), and
- evidence to support their qualifying connection(s)
- evidence in relation to any previous marriages

If both members are EEA nationals, until 30 June 2021, you may proceed to marry them by banns or common licence, as necessary for their particular set of circumstances. (Please see our other guidance note about changes from 1 July 2021 which can be found at this link <https://www.oxford.anglican.org/wp-content/uploads/2021/03/Marriage-of-EEA-Nationals-from-1-July-2021.pdf>)

If one or both members of the couple are non-EEA nationals, the couple will need to be married by Marriage Schedule. **Please note banns and common licences are no longer lawful preliminaries for marriages involving non-EEA nationals.**

Register Office Involvement

Once you have agreed a date and other arrangements with the couple, and, in principle, you are happy to marry them, you should direct them to contact the relevant Register Office to serve notice for their Marriage Schedule.

A Government website enables couples to put their postcode into a search engine to find their nearest office. The couple may, however, find that they need to attend a Designated Register Office but the local Civil Registrar will advise them accordingly: <http://maps.direct.gov.uk/LDGRedirect/MapAction.do?ref=grolight>.

Documentation required when serving Notice for SRCs

When the couple attend the Register Office they will need to provide:

1. Evidence of their name, surname, date of birth and nationality. This can be in the form of one of the following:-

- valid passport
- valid national identity card for EEA or Switzerland
- a certificate of registration as a British citizen granted by the Secretary of State
- a certificate of naturalisation as a British citizen granted by the Secretary of State
- birth certificate of a British national
- valid biometric immigration document
- valid travel document issued in the United Kingdom

(**NB:** a certificate of registration, certificate of naturalisation and birth certificate may need to be accompanied by other documents but the Civil Registrar will be able to advise further in this regard.)

2. Evidence of their place of residence. This must be in the name of the person giving notice and can be in the form of one of the following:-

- utility bill (not older than 3 months)
- bank or building society statement or passbook (not older than 1 month)
- council tax bill (not older than 12 months)
- mortgage statement (not older than 12 months)
- current residential tenancy agreement
- valid driving licence
- letter from the owner or proprietor of the address which is the person's place of residence (the Civil Registrar will advise about the content and format of the letter if this is the document supplied)

3. Evidence of ending of previous marriage or civil partnership (if applicable)

- decree absolute of divorce for England or Wales
- dissolution order or nullity order for England or Wales
- overseas divorce or annulment documents
- death certificate of spouse or civil partner

(NB: If the couple do not have any of the documents listed in 1 and 2 (and, if applicable, 3) above, they will need to speak with the Civil Registrars to see what alternative documents will be acceptable.)

4. Letter from the Minister

The Civil Registrars will need to receive a letter from the minister taking the service in support of the couple's application. A pro-forma letter can be found on the Diocesan website to help in this regard.

However, if you wish to provide your own letter, the Civil Registrars need to know:

- that the couple do qualify to marry in your church;
- that you are content to accept a Marriage Schedule granted for 12 months (see below re validity period of a Marriage Schedule); and
- if one or both has been previously married, that you are content to marry them notwithstanding the previous marriage having ended in divorce (as to which, you should use the Marriage in Church after Divorce questionnaire, as per the House of Bishops' Guidance).

Notice Period

Once they make their application, there is a **28 day** notice period. If the Superintendent Registrar refers their application to the Home Office, this will be extended to **70 days**. The couple will be notified in writing if their application is referred.

Validity Period of a Marriage Schedule

area Marriage Schedule is automatically printed with a three month validity period when issued for Church of England marriages. This was done to fall in line with the other Church of England preliminaries to marriage. However, now that there is a possibility some cases may be referred to the Home Office, extending the notice period to 70 days, the three month validity period may not be sufficient.

We have been advised that the only way to circumvent the three month period is to expressly state in your letter of support that you are content to accept a Marriage Schedule granted for 12 months.

Fees

The fee for serving notice for a Marriage Schedule is **£47** per applicant, i.e. **£94 per couple**. This may, of course, be amended from time to time so the couple will need to confirm this with the Civil Registrar.

Marriage Schedules

Marriage Schedules will state the date by which the marriage must be solemnised.

Darren Oliver | Diocesan Registrar
doliver@wslaw.co.uk

Sara Leader | Registry Manager
sleader@wslaw.co.uk