



your experts in church properties

Place of worship and marriage registration

A Church Growth Trust Practical Guide
(March 2016)

CONTACT DETAILS

Church Growth Trust

1 Manor Farm Barns, Baines Lane, Seaton, Oakham, Rutland, LE15 9HP

01536 201339

enquiries@churchgrowth.org.uk

www.churchgrowth.org.uk

Church Growth Trust is the operating name of Church Growth Trust Limited, a registered charity no. 1138119, and a company limited by guarantee no. 07352319, registered in England

COPYRIGHT

This publication is the copyright of Church Growth Trust. If it is to be reproduced in whole or part, it must not be for commercial gain and should clearly acknowledge Church Growth Trust with the following wording: "Reproduced with permission from Church Growth Trust. www.churchgrowth.org.uk". If extracts are to be used in another context, permission should be sought in advance by emailing enquiries@churchgrowth.org.uk or telephoning 01536 201339.

DISCLAIMER

Whilst every care has been taken in the preparation of this material, Church Growth Trust cannot be responsible for action taken or refrained from in reliance thereon. It is recommended that appropriate professional advice be sought in each relevant individual circumstance.

© Copyright Church Growth Trust 2016

CONTENTS

1.0	Introduction	5
2.0	Other forms of registration	5
2.1	Title registration.....	5
2.2	Charity registration	5
2.3	Planning consent.....	6
2.4	Same sex marriages	6
	REGISTERING A PLACE OF WORSHIP.....	6
3.0	Places of worship registration legislation	6
4.0	Business rates exemption	6
5.0	Registration service	7
6.0	Application procedure.....	7
6.1	Information on building	7
6.2	Previously registered	8
6.3	Details of church activities.....	8
6.4	Details of applicant	9
7.0	What happens next?	9
8.0	Previous registration	9
9.0	Disuse of place of worship	10
	REGISTERING FOR THE SOLEMNIZATION OF MARRIAGES	10
10.0	Registering for the solemnization of marriages legislation	10
11.0	Registration service.....	11
12.0	Application procedure for marriage registration.....	11
12.1	Certificate.....	11
12.2	Application.....	12
12.3	Additional information	13
13.0	What happens next?	13
14.0	Authorised Person.....	14
15.0	Application procedure for an Authorised Person	14
15.1	Information on building.....	14
15.2	Dates and trustees.....	15
15.3	Authorised Person	15
16.0	Different churches sharing a place of worship	16
17.0	Procedure for people wanting to get married	16
18.0	Registers.....	16
19.0	Unregistering a building for marriages	16
20.0	Additional Information.....	17
20.1	Denominational bodies for excepted charities.....	17
20.2	General Register Office forms & guidance	17
20.3	Legislation	18
20.4	Places of worship lists.....	18
	Form 76 – Form for certifying a place of meeting for religious worship	19

Form 77 – Notice of the disuse of a certified place of meeting for religious worship..... 21
Form 78 – Certificate & application for the registration for the solemnization of marriages..... 23
Form AP1 – Certificate of appointment of authorised person 25
Form AP2 – Change of contact details for authorised person 27



1.0 Introduction

It is possible for a church to register the place where it is meeting for worship as a Registered Place of Worship under the Places of Worship Registration Act 1855 (“the 1855 Act”). It is also possible, once a building has been registered as a place of worship, for the property also to be Registered for the Solemnization of Marriages under the Marriage Act 1949 (“the 1949 Act”). There are set procedures for registering. This practical guide sets out the procedure, commenting on the information that will be required and pointing out a number of potential pitfalls and complications.

It is possible to register a building only as a Registered Place of Worship, without registering it for solemnizing of marriages. It is also possible to register for both (place of worship and solemnizing of marriages) at the same time. It is also possible to register a building for solemnizing of marriages at any time after it has been registered as a place of worship.

This practical guide only covers the legislation relating to England and Wales. It does not cover the same issues in Scotland and Northern Ireland, where legislation may be different.

2.0 Other forms of registration

2.1 Title registration

Registering a property as a place of worship is in no way connected with the title to the property being registered with HM Land Registry, as the first relates to the building being used as a place of worship and the other relates to the legal title.

2.2 Charity registration

Registering a building as a place of worship is also not connected with the registration of a charity with the Charity Commission. The church that may be applying for the place of worship registration may already be a charity or may become a registered charity at some stage in the future, but whether the church is a registered charity or not does not necessarily have any bearing on its application to register its meeting place as a place of worship. There has been some confusion in the past over some churches whom the Charity Commission stated did not need to register as a charity because they occupy a Registered Place of Worship. This has now been clarified. Registration as a place of worship refers to the church building only and not to the congregation that occupies the building nor even to the property Trust that owns the building (if this is separate from the congregational charity).

If the church has an income of more than £5,000 per annum (and wishes to collect Gift Aid), it will need to register with the Charity Commission, whether registered as a place of worship or not, but there is currently an exception to this requirement for registration with the Charity Commission, where the church has “excepted” status for the purposes of registration with the Charity Commission. Excepted status applies to churches with an income of less than £100,000 per annum and which are linked to certain denominations such as the Baptist Union and the Fellowship of Independent Evangelical Churches (FIEC). A fuller (but not exhaustive) list of these bodies having excepted status is shown in the Additional information section below. This excepted status for certain churches is due to end on 31st March 2021, but this might be extended as it has been in the past.

Churches of Brethren-background do not have excepted status, unless they have joined the FIEC or one of the other excepted denominations. So, if Brethren-background churches have an income of more than £5,000 a year, they have an existing statutory obligation to register as a charity if they have not already done so.

2.3 Planning consent

Many church buildings will have an historic and established church use and may not have a planning consent for the present use. More modern church buildings or church building that have been converted from other types of buildings (e.g. warehouses, nightclubs, offices) will have obtained planning consent for the new building or change of use. This will in most cases be as a D1 Use Class as a place of worship. This is not the same as a Registered Place of Worship under the 1855 Act.

2.4 Same sex marriages

As a result of the Marriage (Same Sex Couples) Act 2013, amendments were made to the Marriage Act 1949 to allow places of worship to be registered for the solemnizing of same sex marriage ceremonies. In order to register a place of worship for the solemnizing of marriages of same sex couples a separate and additional procedure needs to be followed and registering the property for opposite sex couples will not automatically register the building for same sex couples. Church Growth Trust under its objects and doctrinal beliefs is unable to support same sex marriage and for this reason the procedure for registering a place of worship for same sex marriage ceremonies will not be covered by this practical guide. Church Growth Trust has produced a separate practical guide on "Independent Churches and the Marriage (Same Sex Couples) Act 2013".

REGISTERING A PLACE OF WORSHIP

3.0 Places of worship registration legislation

Prior to the Places of Worship Registration Act 1855, any non-conformist congregation that wished to meet had to do so in buildings that were registered as places of worship. The 1855 Act made registration of places of worship optional, rather than compulsory. It covers England and Wales only and governs the registration and legal recognition of places of worship. It does not cover Church of England and Church in Wales properties. As stated, it is not compulsory to register a building as a place of worship, but there are certain financial advantages and it is also a requirement before a place of worship can be registered as a venue for marriages.

4.0 Business rates exemption

Properties that are Registered Places of Worship are exempt from business rates. Some churches occupy buildings that are not Registered Places of Worship and where business rates still apply. If these churches are charities (whether registered with the Charity Commission or not), they will be able to obtain 80% mandatory relief from business rates and are also able to apply for the additional 20% discretionary relief. This process is repeated each year and the 20% discretionary relief will depend on the work that the church is doing and the attitude of the Local Authority. As a Registered Place of Worship is automatically exempt from business rates there is no requirement to apply for relief annually. Although it is not essential to register a place of worship for the property to be exempt from rates, it does add an important piece of evidence that the property is actively used as a place of worship. Buildings that have been used as a place of worship for many years without formal registration as a place of worship are often accepted by Local Authorities as being places of worship and therefore exempt from business rates.

Where a building has multiple uses and particularly where only part of the building is used for worship, the Registrar General may register part of the building only as a place of worship. This could apply for instance to a church building and a church hall, where the church building only is a

Registered Place of Worship. Often the Valuation Office (who set the business rates) and the Local Authority will still exempt the whole property, but there is no legal requirement for them to do so. This would also apply if a number of rooms within one building were designated as a place of worship, but the rest of the building was not.

On rare occasions a residential property is used as a place of worship and registration can take place. However, the Local Authority are still likely to charge council tax for the residential part of the building. There are no agreed precedents for splitting the residential and place of worship uses and therefore in some cases the full council tax has been charged, even though part of the building is used for a place of worship.

The date from which rates exemption is effective will be the date that the building is registered as a place of worship. It is important therefore that the application process goes smoothly and that the Local Authority dealing with the application and the General Register Office are chased during the process, to ensure that there are no undue delays. In some cases where a building has been used as a place of worship for some time before the registration, the Local Authority may be prepared to backdate the business rates exemption.

5.0 Registration service

The Register of Places of Worship is maintained (and published) by the General Register Office, which at present is based in Southport. However, the application for a Registered Place of Worship has to be made through the local registration service and specifically to the Superintendent Registrar. The local registration service will vary, depending on the location of the property. In London the registration service will be the Borough Council. In some cities where there is a Metropolitan Council, it will be this Council that will provide the registration service. In all other cases it will be the County Council. It is normally the same office that provides the registration of births, deaths and marriages.

In some cases, particularly with London Boroughs, there is often confusion within the Council as to whether they do provide this service or not. It is worthwhile contacting the Council and finding out the name of the relevant person who would deal with the application before sending this and to mark any application for their attention. Applications should **not** be sent to the General Register Office in Southport.

6.0 Application procedure

To register a place of meeting for religious worship under the Places of Worship Registration Act 1855 a Form 76 needs to be completed. Rather confusingly this is produced by HM Passport Office and can be downloaded from the internet. A copy of the form is shown in the appendix to this practical guide. The form needs to be completed by anyone who is able to represent the church using the property and will need to be sent to the Local Registration Service with the required statutory fee. The fee at present is £29. A cheque for the fee should be made out to the Local Authority. The forms will need to be completed in duplicate as photocopies will not be accepted.

The information required on the forms is as follows:

6.1 Information on building

- Name of building - The name of the place of worship needs to be stated in full. This is often the name of the occupying church, rather than the name of the building. If the building is shared by a number of churches or is only temporarily used by the church, it may be better to use a generic name or the name of the building.

- Address - The precise address of the building, including any name and number, as well as the postcode will need to be given.
- Part(s) of building - The form requires the applicant to state whether it is the whole building or only a room or rooms within the building that are to be registered. If parts of the building are not used by the church for worship or are let to other people for secular activities, then it may be appropriate only to register part of the building. If, however the whole building is at some point used by the church for its religious activities and its primary use is for these activities, then it is better to try to register the whole building. If the registration is for only part of the building this needs to be clearly stated (e.g. "Ground floor of 23 High Street, Corby").
- Floor plan - A floor plan of the building or rooms within the building will need to be provided. This does not need to be professionally drawn but must include all entrances and exits and the internal layout of each floor which is to be certified. It is helpful to put on the plan the main church uses for each room (e.g. "prayer room" or "Sunday school room", rather than "meeting room").

6.2 Previously registered

It needs to be stated whether the building has been previously registered as a place of worship. A church making the application may be unaware that the building has been previously registered. An enquiry to the Local Registration Service or to the General Register Office by telephone or email may help to clarify this. If a building has been registered previously in the name of another congregation or under a different denomination, the registration will need to be renewed. In some cases, a previous place of worship may have been disused as a place of worship for many years and again the fresh registration will be required.

6.3 Details of church activities

- Faith - It is assumed that any church making an application will be of the "Christian" faith.
- Denomination - This needs to be different from the name of the building. Examples of denominations that churches have registered under are "Baptist", "Pentecostal" or "Evangelical". However, registration for "Christian", "Open Brethren" or "Christians not otherwise designated" has been acceptable.
- Regularly meeting for worship - The building needs to be used "as a place of meeting for religious worship" for it to be registered as a place of worship. The 1855 Act refers to "religious worship". This is difficult to define, as what would have been religious worship in 1855, may now be only part of what churches consider religious worship. It could be argued that religious worship does not just include public meetings where there is sung worship, prayers and preaching, but could also include private (i.e. not publicly announced) meetings specifically for prayer, bible study, ministry or teaching/training. It could also be for outreach events of an evangelistic nature or community-linked activities.
- Timetable of activities - A weekly or monthly timetable of activities that will be taking place in the building is required. These will be both church and non-church activities. It is expected that these will be linked to the floor plan to clearly show what takes place in each room. The Registrar General must be satisfied that the building's principal use

is for worship. Form 76 sets out the definition of principal use as “the room(s)/building where the primary purpose is the practice of religious worship”. They also give examples of principal use as follows:

- The whole of a religious school could not be registered, as the principal use is for learning rather than the practice of worship. However, if there is a room within the school which is used solely for the practice of worship, this could be certified.
- A room in a community centre which is used by the congregation once a week, but which is used by the community for other activities during the rest of the week, could not be certified because the principal use of the building is not worship.
- A purpose-built religious building which has non-religious activities taking place, such as playgroups, soccer schools, book clubs etc, could be certified as a whole, because these activities could not take place if the place of worship was not there.

6.4 Details of applicant

- Contact details - The name, occupation (this may be particularly relevant to the building if the applicant is a pastor/elder/deacon), home address, home telephone number, mobile number and email address are required. This is so that the General Register Office can contact the applicant if there is a query on the application.
- Connection to the place of worship - The applicant has to have a connection with the place of worship, in order for him/her to be able to represent the church. The applicant could be the owner, occupier, church leader (pastor/elder/deacon) or trustee and one or more of these should be stated.
- Signature - The applicant should print their name, sign and date the form. As stated above this needs to be done in duplicate rather than copying the form.

7.0 What happens next?

The application, with the accompanying floor plan and timetable of activities and cheque should be sent or hand delivered to the Local Registration Service. They will check the document and send this to the General Register Office. Unless there are exceptional circumstances, the General Register Office aim to register the building and supply Certificates of Registration to the local Superintendent Registrar within 20 working days. If, however there are queries or additional information is required they will take up to 20 working days to deal with each reply. It is important therefore to complete the application correctly.

Once the building has been registered the local Superintendent Registrar will inform the applicant and provide a completed Certificate (Form 76). This should be kept in a secure location by the church.

8.0 Previous registration

A church building may have been registered as a place of worship for many years, but the original church that registered it may have closed or moved to another building. This can mean that the registration is out of date, as the name of the place of worship may have changed or the

denomination of the church using the building may have changed. If the original Certificate is available this information can be easily checked. If it is not available, the General Register Office (or possibly the Local Registration Service) will be able to provide this information. A link to two schedules of Registered Places of Worship is shown in the Additional information section below. Contact details for the General Registration Office is also shown in this section.

Where the property has changed, so that extensions have been built or parts of the building demolished, or where the use of the building has changed, the original registration may be out of date. As the certificate of registration does not include a floor plan or site plan, it may be difficult to ascertain whether it is out of date or not. If the church wish to include a larger area within the registration than has previously been allowed, it may be worth obtaining this information from the General Register Office and it might also be possible to obtain it from the Local Authority or Valuation Office. In most other cases however it is not worth pursuing as it is often to the church's advantage, because it is usually assumed that the whole building is part of the registration.

If a church wish to have a copy of or a replacement Certificate for a place of worship, this can be obtained from the General Register Office. If the building has changed its name, a letter will need to be written to the General Register Office confirming that the building has changed its name and that the congregation has not changed. The letter must give both the building's worship (and, if relevant, marriage) number and be signed by a minimum of two trustees or members of the church's governing body. If a place of worship has been altered since it was registered, by for instance an extension being built, or parts being demolished, information on this should be sent to the General Register Office. This should show a new floor plan and activities timetable advising what the various areas of the building are now used for.

9.0 Disuse of place of worship

If a registered place of worship is no longer used for religious worship, Form 77 (Notice of Disuse of a Certified Place of Meeting for Religious Worship) needs to be completed. This does not need to be in duplicate. It will need to be completed by someone who can represent the church. This would normally be one or more trustees, the owner, occupier or church leader. Form 77 can be obtained online, and a copy of the form is shown in the appendix to this practical guide. It is necessary to find the "worship number" given to the building and the date that the building was registered as a place of worship. This information can be found on the original Place of Worship Certificate. If this cannot be found, a copy can be obtained from the General Register Office. It is also necessary to state on the form whether the building has been Registered for Solemnizing Marriages, as once the Place of Worship Registration is no longer in place, the building can no longer be used for marriages.

The form will need to be signed in the presence of the Superintendent Registrar for the registration district (see section 5.0 above), so will need to be taken into the Register Office.

REGISTERING FOR THE SOLEMNIZATION OF MARRIAGES

10.0 Registering for the solemnization of marriages legislation

Places of worship (other than Church of England or Church in Wales church buildings) can only be used for religious wedding ceremonies if they are registered under the Marriage Act 1949. Civil ceremonies cannot take place in places of worship and likewise civil ceremonies are not allowed to contain any religious content.

Section 41 of the Marriage Act 1949 sets out the basis for places of worship being registered for opposite sex couples. The Marriage Act 1949 was amended by the Marriage (Same Sex Couples) Act 2013, with the addition of Section 43A & 43B, to allow for places of worship to be used for same sex marriage ceremonies. See our practical guide entitled “Independent Churches and the Marriage (Same Sex Couples) Act 2013” for more information on this topic. Although a building can be registered for opposite sex marriage and same sex marriage at the same time, additional consents are required for same sex marriage from the proprietor/owner of the property, the relevant governing authority of the church/religious group and any churches that are sharing the building. In addition the person(s) that will be asked to conduct the ceremony, known as Authorised Persons (see section 14 below) have to be registered for conducting same sex marriages. These safeguards are covered by the Marriage (Same Sex Couples) Act 2013. Section 43 of the 1949 Act deals with the appointment of Authorised Persons.

A building used by a church can only be Registered for the Solemnization of Marriages if it is also a Registered Place of Worship (under the 1855 Act). It is possible to register a building as a place of worship and for solemnization of marriages at the same time or the registration of a building for the solemnization of marriages can take place at any time after the building has been first registered as a place of worship. Section 42 of the 1949 Act covers the cancellation of Registration for the Solemnization of Marriages, which takes place when the registration of a place of worship is cancelled.

11.0 Registration service

The Register of Places of Worship that are also Registered for Solemnization of Marriages is maintained (and published) by the General Register Office. However, the application for the registration of a building for marriages has to be made through the local registration service and specifically to the Superintendent Registrar. See section 5.0 above.

12.0 Application procedure for marriage registration

In order to register a place of worship for the solemnization of marriages Form 78 needs to be completed. As with Form 76 mentioned above this is produced by HM Passport Office and can be downloaded from the internet. A copy of the Form 78 is shown in the appendix to this paper. The form will need to be sent to the Local Registration Service with the required statutory fee. The fee at present is £123. A cheque for the fee should be made out to the Local Authority. The forms will need to be completed in duplicate as photocopies will not be accepted. There are a number of parts to Form 78, including a Certificate and an Application.

12.1 Certificate

The Certificate is where a number of people certify that they regularly meet for worship in the building and request that it is registered for marriages. Information required on the Certificate is as follows:

- Name of building – the full name by which the building is known to the congregation and ideally the same name as is on the Place of Worship Certificate. If the building has a name or a number this should be included.
- Type of marriages – There are various tick boxes to indicate whether the church are requesting the solemnization of marriages between a man and a woman, between same sex couples, or both. Care needs to be taken to tick only one of these boxes. It should be

noted that, even if one of the boxes is ticked for same sex couples marriages, the application will not be valid unless Form 78a is completed, so it cannot happen by accident.

- Householder signatures – The church will need to have at least 20 householders who attend the building for the purposes of religious worship in order for the Certificate to be valid. Each householder needs to be an adult, but more than one adult per house can sign. A householder can own or rent the property, as long as it is their place of residence. Each householder will need to sign and print their name and address. Once all the householders have signed the Certificate it will need to be dated.
- Counter-signature – One of the owners/proprietors or trustees of the property will then need to countersign the Certificate. The owner/trustee must not be one of the householders who have signed above. The date that the Certificate is countersigned needs to be after the date that the householders have signed, but within one month of them dating the form.

12.2 Application

The second part of Form 78 is the Application. The information required for this is as follows:

- District – The district will be the local registration district (see section 5.0 above).
- Proprietor/trustee – The named proprietor/owner or trustee in the Certificate needs to print their name in the application.
- Name of building – As in the certificate.
- Address – The precise address of the building including its number or name and postcode should be stated.
- Religious denomination – The name of the religious denomination/organisation of the church that uses the building should be stated. This will normally already be stated on the Place of Worship Certificate and the same designation should be used (see section 6.7 above). This may be different from the name of the building.
- Place of Worship Certificate – If the building has already been registered as a place of worship (if the application for registering as a place of worship is not taking place at the same time as the registration for marriages), the date of the registration of the place of worship and the “worship number” from the Place of Worship Certificate are required. If the building has been registered at the same time as a place of worship, then this section can be left blank.
- Type of marriage – Again there are various tick boxes to indicate which type of marriage(s) the church wish to register.
- Signature – The owner/trustee should then sign and date the application.

12.3 Additional information

Form 78 has a further part where additional information is required, as follows:

- Applicant – The owner/trustee that has signed the application and countersigned the Certificate will need to put in their full name and their home address (including postcode). The address must not be the same as the building for which the application is being made.
- Open to public – The general public will need to have access to all marriage ceremonies, in case anyone wishes to raise an objection to a marriage. The building will therefore need to be open to the public and the form completed accordingly.
- Marriage service – The church will need to have a standard marriage service, and this will need to be submitted with the form. The Registrar will not be scrutinising the whole service, but he/she will need to ensure that the correct words are used to ensure that it is a legally binding marriage. There are only two compulsory vows that are required by law in any wedding service. The first is a Declaration by both parties that they know of no legal reason why they cannot marry the other. The second is a Contractual Statement that each party takes the other as their wedded wife/ husband. The declaration and Contractual Statement need to be included in the marriage service.

Section 44 (3) and (3A) of the Marriage Act 1949 state that each of the persons contracting the marriage shall, in some part of the ceremony and in the presence of the witnesses and the Registrar or Authorised Person, make the following declaration - “I do solemnly declare that I know not of any lawful impediment why I [name of person] may not be joined in matrimony to [name of person]”. This is the Declaration. As an alternative Declaration they may say “I declare that I know of no legal reason why I [name of person] may not be joined in marriage to [name of person]” or by replying “I am” to the question put to them successively “Are you [name of person] free lawfully to marry [name of person]?”.

Section 44 (3) and (3A) of the Marriage Act 1949 also state that each of the persons contracting the marriage shall say to the other — “I call upon these persons here present to witness that I [name of person] do take thee [name of person] to be my lawful wedded wife [or husband]”. These are the words of the Contractual Statement. As an alternative Contractual Statement, they may say to each other “I [name of person] take you [or thee] [name of person] to be my wedded wife [or husband]”.

- Same sex couples marriages – The last tick box must only be ticked if the building is being registered for same sex marriages and Form 78A has been included. Form 78A is a Certificate by the relevant governing authority of the church that consent has been given by it for the solemnization of same sex marriages.

13.0 What happens next?

Once the Certificate and Application for Registering a Place of Worship for Solemnization of Marriages has been sent to the local Registration Service, they will forward this to the General Register Office in Southport and normally the Certificate will be issued within 20 working days. The Certificate will be issued to the applicant. The building can then be used for conducting wedding services, but until an Authorised Person has been registered for the building, the services will need to be conducted with a Registrar from the local Register Office. Marriage Certificates will be issued, and the Marriage Register kept by the local Registrar rather than on the church premises.

14.0 Authorised Person

An Authorised Person for marriages between a man and a woman can be appointed after a place of worship has been Registered for the Solemnization of Marriages between a man and a woman for one year. Form AP1 will need to be completed and either posted or scanned and emailed to the General Register Office (email: grocasework@gro.gsi.gov.uk). A copy of Form AP1 is in the appendix to this paper.

The Marriage Act 1949 makes provision for marriages between a man and a woman to be solemnized in a Registered Place of Worship without the need for a Registrar to be present. The trustees or governing body of a registered building may authorise a person (or a number of persons) to register any marriages solemnized in that building by certifying their names and addresses to the Registrar General and the local Superintendent Registrar. The Authorised Persons are responsible for taking care of the buildings Marriage Registers and other registration stock (i.e. Marriage Certificates), ensuring that the legal preliminaries of any marriage to be solemnized in the building have been completed, ensuring that all marriages are solemnized in accordance with legislation and that the details are recorded accurately in the Marriage Registers and providing quarterly copies of the Marriage Records to the local Superintendent Registrar.

Full details of the responsibilities and duties of an Authorised Person are contained in the booklet "Guide for Authorised Persons", which is available to download from the www.gov.uk website. An Authorised Person will need to acquaint themselves with the guide in order that all the provisions of the marriage legislation are carried out completely and accurately.

15.0 Application procedure for an Authorised Person

The Certificate of Appointment (AP1 Form) needs to be completed by the trustees of the building or the trustees of the congregation using the building or members of the governing body of the church. No person should act as an Authorised Person until they have been advised in writing by the General Register Office and the Certificate of Appointment has been sent to the local Superintendent Registrar. An application normally takes 20 working days to be processed.

15.1 Information on building

- Marriage number - The marriage number will be on the Certificate for the Registration for Solemnizing of Marriages.
- Building name - This will be the name that appears on the Certificate of Registration for Solemnizing of Marriages. If the name of the building has changed this may cause complications as the General Register Office will need to investigate why the name has changed.
- Denomination - The name of the denomination needs to be inserted. This will be the same as with the registration form.
- Address - The precise address of the building including its number or name and postcode should be stated.
- Registration district - This is your local registration office (see section 5.0 above).

- Type of marriage - The type of marriage(s) for which the Authorised Person is authorised by the trustees to conduct should be clearly stated.
- Safe - The Authorised Person is responsible for safekeeping of Marriage Registers and the stock of blank Marriage Certificate Forms. A strong fire-resisting safe, ideally with internal dimensions no less than 12" x 18" (310mm x 465mm), in which all registration documents are to be kept, must be provided. Where two or more Authorised Persons are appointed, it is the Responsible Authorised Person's duty to ensure that the Registers and Certificates are kept securely. A safe is therefore required on the premises and confirmation of this will need to be given on the form.

15.2 Dates and trustees

- Date of appointment - An Authorised Person must not conduct weddings until he/she has been duly certified as having been authorised for the purpose by the trustees or governing body of the building and received notification from the General Register Office. The date inserted should therefore be at least 20 working days after the application.
- Date of any forthcoming marriage - If there is a marriage for which the Authorised Person will be required to attend (instead of the local Registrar) a date should be inserted in the form. However, in practice it is unlikely that a date within two months of the application form being submitted will be accepted (as it may take 20 days for the registration of the Authorised Person and another month for the marriage to be registered with the local Superintendent Registrar (see section 17 below)).
- Trustees details and signatures – Two of the trustees for the building or of the congregation where there is not a separate property trust or members of the authorised governing body for the church should put their full name, address (including postcode), telephone number and sign the form.

15.3 Authorised Person

- Authorised Person's details – There can only be one Responsible Authorised Person at the registered building at any one time. However, there may be more than one Additional Authorised Person. The Responsible Authorised Person will be the first point of contact for the Register Office. If an Authorised Person leaves office, it is a legal requirement for the trustees to inform the General Register Office. If this is the Responsible Authorised Person, the trustees must appoint a successor by completing a new Certificate of Appointment (Form AP1). The successor may be an existing Additional Authorised Person or maybe a new appointment. The Responsible Authorised Person does not need to be the minister, pastor or church leader, but must be connected with the registered building.

The form needs to be completed to indicate whether the Authorised Person is a Responsible Authorised Person or an Additional Authorised Person. Their full name, address, at least one telephone number for them and an email address (if they have one) should be inserted. If the contact details for an Authorised Person change, the General Register Office should be notified using Form AP2. This is shown in the appendix to this paper.

- Authorised Person's signature – The Authorised Person will need to indicate which marriages they will be attending and sign and date the form. They also need to sign the Declaration once they have read the guidance notes relating to the Form AP1.

16.0 Different churches sharing a place of worship

A number of churches can share a building and, in some cases, have a formal Sharing Agreement. If none of the churches are Church of England, only one set of Marriage Registers will be issued to be used by all the denominations sharing the building. Where one of the churches is part of the Church of England two sets of Marriage Registers will be issued, one for registration of non-conformist marriages and the other to record marriages according to the rites and ceremonies of the Church of England. It is recommended that these Registers are not kept together. A copy of any formal Sharing Agreement needs to be submitted with the Application.

17.0 Procedure for people wanting to get married

A couple wishing to get married will need to “give notice of marriage” in person to the local Superintendent Registrar. They will need to contact their local Register Office to arrange an appointment. The Notice can be given up to one year before the marriage date but must be at least 29 days before the date of marriage and therefore good notice needs to be given.

The marriage will need to be registered either by the Registrar from the local Register Office in their own Register or by an Authorised Person in the set of two Registers issued to the place of worship. If the marriage is registered by a Registrar, the Registrar will normally arrive 15 minutes before the ceremony is due to begin as they need to see each of the couple (separately if required) in private beforehand. The church will need to ensure that there are suitable arrangements in place to enable this to happen. The Registrar will bring a Marriage Register and a book of Marriage Certificates. It is advisable to discuss specific arrangements, such as dress code or length of the ceremony, with the local Superintendent Registrar.

18.0 Registers

The Marriage Registers will need to be kept in a safe at the church building. The Responsible Authorised Person is responsible for keeping the Registers safe. There is normally a set of two Registers issued to the place of worship. When both Registers are full, one will be deposited with the local Superintendent Registrar and the other will remain in the custody of the Responsible Authorised Person appointed to the place of worship.

19.0 Unregistering a building for marriages

There is no formal procedure for unregistering a place of worship for the solemnization of marriages between a man and a woman. If a place of worship is deregistered (using Form 77), it will automatically be deregistered for marriages and the Authorised Persons connected with the building will also be removed from the Register. It is possible to change the Authorised Persons or their details using Form AP2 (see section 15.3 above). If a church wishes to remove all Authorised Persons and not replace them, there is no formal procedure for doing this. Two trustees (see section 15.2 above) will need to write to the General Register Office to notify them of this. They need to make clear their position, names and contact details and then sign the letter. The Registers will need to be returned to the local Register Office.

20.0 Additional Information

20.1 Denominational bodies for excepted charities

Associations of Grace Baptist Churches in East Anglia, West Anglia and the South East
Baptist Union of Great Britain
Baptist Union of Wales
Baptist Churches linked to Grace Baptist Trust Corporation
Calvinistic Methodist or Presbyterian Church in Wales
Church of England
Church in Wales
Congregational Federation
Evangelical Fellowship of Congregational Churches
Fellowship of Independent Evangelical Churches
Methodist Church
Society of Friends
Unitarian and Free Christian Churches
Union of Welsh Independents
United Reformed Church

20.2 General Register Office forms & guidance

Address: PO Box 476, Southport, Merseyside PR8 2WJ
Telephone: 0300 123 1837
Email: GROCasework@gro.gsi.gov.uk
Website: <http://www.gro.gov.uk/gro/content/>

Form 78L Guidance on registration of place of worship and for marriages
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/455321/D0550_F78L.pdf

Form 76 Registration of a place of worship
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/291276/F76.pdf

Form 77 Disuse of a place of worship
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281267/B0619_F77.pdf

Form 78 Registration for marriages
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/303751/B0626_F78.pdf

Form 78G Guidance for applicants
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281243/D0549-F78G.pdf

Form 78Q FAQs on queries after building has been registered for marriages
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/455300/D0551_F78Q.pdf

Form AP1 Appointment of Authorised Person
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281201/B0334_FAP1.pdf

Form AP1G Guidance for applicants

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281216/D0552_FAP1G.pdf

Form AP2 Change of details for Authorised Person

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/281223/D0553_FAP2.pdf

Guide for Authorised Persons

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408482/APsGuideFebruary15final.pdf

20.3 Legislation

Places of Worship Registration Act 1855

<http://www.legislation.gov.uk/ukpga/Vict/18-19/81/contents>

Marriage Act 1949

<http://www.legislation.gov.uk/ukpga/Geo6/12-13-14/76/contents>

Marriage (Same Sex Couples) Act 2013

<http://www.legislation.gov.uk/ukpga/2013/30/contents/enacted/data.htm>

20.4 Places of worship lists

Places of worship list April 2010

<https://www.whatdotheyknow.com/request/30329/response/84116/attach/4/Places%20of%20Worship%20listApril2010.pdf>

Places of worship list January 2016

<https://www.gov.uk/government/publications/places-of-worship-registered-for-marriage>

APPENDIX

Form 76 – Form for certifying a place of meeting for religious worship



HM Passport Office

Form for Certifying a Place of Meeting for Religious Worship under the Places of Worship Registration Act 1855

Please use the guidance notes on the reverse to complete all sections of this form. Once completed in duplicate, please submit your application, with the required documentation and relevant fee, to the Superintendent Registrar of the Register Office where the building is situated.

Form 76

To The Registrar General

1. Full name by which the place of worship is known

[Empty box for full name]

2. Precise address of the building

[Empty box for address]

3. What are you registering? (tick one box)

A whole building?

A room or rooms within a building?

4. Please provide a floor plan of the building or room(s) Tick box to confirm

5. Has the building or rooms previously been registered for worship?

YES

NO

6. What is the faith of the congregation?

[Empty box for faith]

6a. What denomination of this faith is the congregation?

[Empty box for denomination]

7. Does the congregation meet regularly for worship?

YES

NO

8. Please provide a weekly timetable of all activities which take place in the building/ room/rooms. Please include all religious and non-religious activities. Tick box to confirm

9. Please provide your contact details.

Name:
Occupation:
Home Address:

Home telephone number:
Mobile telephone number:
E-mail address:

10. What is your connection to the place of worship?

[Empty box for connection]

11. Certifying declaration.

I (print name)..... declare, in accordance with the Places of Worship Registration Act, 1855, that the building named above is to be used as a place for religious worship by the said congregation and request that this certificate be recorded by the General Register Office pursuant to the Act.

Signature..... Date

For the purpose of detecting and preventing crime, information relating to an application may be shared and verified with other government departments or law enforcement agencies

Guidance Notes for Applicant

1. Insert the full name by which the congregation knows the building.
2. Please give the precise address of the building. If the building bears a number as well as a name, this should also be given.
3. If only part of a building is to be certified, this will be reflected in the details of the registration e.g. "Ground & First Floor, 62 The High Street, Southport".
4. Floor plan. This does not need to be professionally drawn, but must include all entrances and exits and the internal layout of each floor which is to be certified.
5. The Registrar General must be informed if any buildings or rooms have been previously certified. This is to ensure that the records held at the General Register Office are correctly updated.
6. and 6a. Please provide details of the congregation's faith and the denomination of this faith. This should be different to the name of the building given at space 1.
7. Please confirm that the congregation meets regularly to worship.
8. Timetable. Please provide an average weekly/monthly timetable showing all activities (both religious and secular) which take place in the building. This should be linked to the floor plan to clearly show what takes place in each room.

When registering a place for religious worship, the Registrar General must be satisfied that its principal use is for worship. Principal use is defined as "the room(s)/building where the primary purpose is the practise of religious worship." Examples of principal use are:

- a) The whole of a religious school could not be registered, as the principal use is for learning rather than the practise of worship. However, if there is a room within the school which is used solely for the practise of worship, this could be certified.
- b) A room in a community centre which is used by the congregation once a week, but which is used by the community for other activities during the rest of the week, could not be certified because the principal use of the building is not worship.
- c) A purpose-built religious building which has non-religious activities taking place such as playgroups, soccer schools, book clubs, etc. could be certified as a whole because these other activities would not take place if the place of worship was not there.

9. Contact Details. The name, home address and occupation of the applicant must be given so that they can be easily contacted by the General Register Office if there is a query with the application.

10. Connection to the Place of Worship, e.g. occupier / proprietor / trustee / minister etc. This is to establish that the applicant represents the congregation.

N.B. When the building to be certified as a place for religious worship is intended to be used in lieu of a building previously certified, a Form 77 (Notice of Disuse) should be completed for the original certification and sent to the General Register Office.

To be completed by the Superintendent Registrar

Form 76 fully completed Documentation enclosed Fee paid

Print Name..... Signature.....

Register Office..... Contact number.....

The certificate below will be completed by the General Register Office and returned to the applicant.
Please keep it in a safe place as you may be asked for the information it contains.

**Certificate of Registration
Place for Religious Worship**

In accordance with The Places of Worship Registration Act 1855,

..... **has been duly recorded by the General Register Office as a place of meeting for Religious Worship within the registration district of**

..... **by**
..... **for the Registrar General.**

Register Number **Date**

The General Register Office: part of Her Majesty's Passport Office

2018 01/14

Guidance Notes for Applicant

1. Insert the full name by which the congregation knows the building.
2. Please give the precise address of the building. If the building bears a number as well as a name this should be stated.
3. Please insert the registration district where the building is located.
4. Please insert the congregation's faith and denomination of this faith. This should be different to the name of the building given at space 1.
5. and 6. Date of registration for worship and worship number. This information can be found in the worship certificate which was issued by the General Register Office when the building was originally registered.
7. Registration for the solemnization of marriages. If the building holds marriages registers these will need to be recalled and closed by the General Register Office. Providing this information will mean the registers can be easily located, closed and returned to the governing body.
8. Connection to the place of worship e.g. occupier / owner / trustee etc. This is to establish that the applicant represents the congregation.
9. Declaration of disuse. The declaration must be signed and dated by the notice giver and then countersigned by the Superintendent Registrar of the registration district in which the building is situated.

To be completed by the Superintendent Registrar

Form 77 fully completed

Print Name

Register Office..... Contact number

For use at the General Register Office only

**Notice of Disuse of
Certified Place of Religious Worship**

Worship Cancellation Number

Marriage Cancellation Number.....

The registration district of

In Lieu

Worship Number.....

Marriage Number.....

Cancelled and now at:

Worship Number.....

Marriage Number.....

For the purpose of detecting and preventing crime, information relating to an application may be shared and verified with other government departments or law enforcement agencies

The General Register Office: part of Her Majesty's Passport Office

180016 01/14



**Certificate and Application for the Registration of a
Place of Religious Worship for the Solemnization of
Marriages under Sec 41 and /or Sec 43A of the
Marriage Act 1949**

Form 78

Using the accompanying guidance notes, please complete all sections of the form. Once completed, please submit your application, in duplicate, to the Superintendent Registrar of the Register Office where the building is situated with the required documentation and fee.

CERTIFICATE

(This certificate and the signatures of twenty householders are NOT required if the building is already registered for the solemnization of marriages between a man and a woman under Section 41 of the Marriage Act 1949 or for the solemnization of marriages of same sex couples under Section 43A of the said Act)

We, the undersigned householders, do certify that
..... *(add building name)* is used by us as our usual place of public religious worship, and we request that the building should be registered for the solemnization of **(tick one box ONLY)**:

- a) marriages between a man and a woman under Section 41 of the Marriage Act 1949
- or
- b) marriages of same sex couples under Section 43A of the Marriage Act 1949
- or
- c) both marriages between a man and a woman under Section 41 of the Marriage Act 1949 and marriages of same sex couples under Section 43A of the said Act

Date

Signature of householder	Print name	Address
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		

Countersigned by me *(sign name)* being the proprietor / trustee *(delete as appropriate)* of the building named above. Date

APPLICATION

To the Superintendent Registrar of the Registration District of
I.....(*print name*) being the proprietor / trustee (*delete as appropriate*) of the building known as(*building name*)
situated at(*building address*),
which is used by the religious denomination(s) of
(*name of denomination(s)*) and which was registered as a place for religious worship by the Registrar General on (*date*)..... and given worship number.....do hereby apply for the said building to be registered for the solemnization of (*tick one box ONLY*):

a) marriages between a man and a woman under Section 41 of the Marriage Act 1949

or

b) marriages of same sex couples under Section 43A of the Marriage Act 1949

or

c) both marriages between a man and a woman under Section 41 of the Marriage Act 1949 and marriages of same sex couples under Section 43A of the said Act

Signature Date

Additional information to support the application

1. Full name of applicant:

2. Applicant's home address:

3. Are the building's doors open to the public? (*Please tick one box*) YES NO

4. Please provide a copy of the marriage service you intend to use. (*Tick box to confirm*)

5. If the building is to be registered for the solemnization of marriages of same sex couples, this application **MUST** be accompanied by a completed Form 78A and a copy of the relevant governing authority's consent. (*Tick box to confirm both are enclosed*)

To be completed by the Superintendent Registrar

Form 78 fully completed? Documentation enclosed? Fee paid?

Print Name..... Signature

Register Office..... Contact number

To the Superintendent Registrar

It is hereby confirmed that
has been duly registered for the solemnization of marriages under *Section 41 and/or Section 43A of the Marriage Act 1949 by the General Register Office in the registration district of

by for the Registrar General.

**Delete where applicable*

Register Number Date

For the purpose of detecting and preventing crime, information relating to an application may be shared and verified with other government departments or law enforcement agencies

The General Register Office: part of Her Majesty's Passport Office

B0020 10/1/14

Section 3 - Authorised Persons Details

3.1 Type of appointment (see enclosed guidance notes)
(Please tick one box ONLY):

Responsible Additional

Title:

Surname:

Forename(s):

Address:

Town: Postcode:

Home telephone:

Mobile telephone:

3.2 E-mail:

@

Section 4 - to be completed by the Authorised Person

I hereby confirm to the Registrar General and to the Superintendent Registrar that I agree to be present at the solemnization of the following *(tick one box ONLY)*:

a) Marriages between a man and a woman in accordance with Section 43 of the Marriage Act 1949

b) Marriages of same sex couples in accordance with Section 43B of the Marriage Act 1949

c) Both marriages between a man and a woman in accordance with Section 43 of the Marriage Act 1949 and marriages of same sex couples in accordance with Section 43B of the Marriage Act 1949

Signed Date

Section 5 - Declaration

I hereby declare that I have read the guidance notes which accompany this form and I agree to my contact details being stored and used by the Registrar General for purposes relating to my role as an Authorised Person for the registered building named in Part 1 overleaf.

Signed Date

For the purpose of detecting and preventing crime, information relating to an application may be shared and verified with other government departments or law enforcement agencies

The General Register Office: part of Her Majesty's Passport Office



**HM Passport
Office**

**Marriage Registration: Change of contact details form for
religious authorised persons**

Please only use this form to notify the General Register Office and your local registration service of changes to your contact details (name/address/telephone/e-mail address). **DO NOT** use this form to notify us of changes to your post or position.

Please complete ALL previous details inserting N/A (Not Applicable) where details have not changed

Section 1 - Your Name **Marriage number**

1.1 Previous title

1.1 New title

1.2 Previous surname

1.2 New surname

1.3 Previous forename

1.3 New forename

Section 2 - Address

2. Previous address

Town Postcode

2.1 New address

Town Postcode

Section 3 - Authorised Persons Details

3.1 Previous telephone number

3.2 New telephone number

Section 4 - E-mail address

4.1 Previous e-mail address

@

4.1 New e-mail address

@

Section 5 - Sign and date

Signature: _____

Date: _____

Section 6 - Please make 2 copies of the form and send one completed form to the Registrar General by e-mail: GROCaseWork@gro.gsi.gov.uk or by post to: PO Box 476, General Register Office, Southport, Merseyside PR8 2WJ and send one completed form to your local Register Office for their records. This is in accordance with instructions in the Authorised Person Guidebook.

For the purpose of detecting and preventing crime, information relating to an application may be passed and verified with other government departments or law enforcement agencies Form AP2