
DRAFT STATUTORY INSTRUMENTS

2014 No.

**The Marriage of Same Sex Couples (Registration
of Shared Buildings) Regulations 2014**

Other shared places of worship: registration application process

4.—(1) This regulation applies to registration applications relating to other shared places of worship.

(2) Such a registration application must be made in accordance with section 43A(1) of the 1949 Act (as read with section 26A(3)(2) of the 1949 Act).

(3) But those provisions have effect subject to the following provisions of this regulation.

(4) Each of the sharing churches is a relevant religious organisation for the purposes of section 26A(4) of the 1949 Act.

(5) A consent to marriages of same sex couples given by the relevant governing authority of any of the sharing churches is sufficient for the registration application to be made in compliance with section 26A(3) of the 1949 Act (and references to the consent of the relevant governing authority in section 43A of the 1949 Act are to be read accordingly).

(6) But the registration application may not be made unless the relevant governing authorities of each of the qualifying sharing churches (other than those which have given consents to marriages of same sex couples) have given a separate written consent to the use of the other shared place of worship for the solemnization of marriages of same sex couples (a “consent to use”).

(7) The registration application must also be accompanied by—

(a) a certificate, given by the applicant and dated not more than one month before the making of the application, that the relevant governing authorities mentioned in paragraph (6) have given written consents to use, and

(b) copies of the consents to use and, in addition to the consent required by section 43A(3) of the 1949 Act, any additional consents to marriages of same sex couples under section 26A(3) of the 1949 Act given by the relevant governing authority of any of the sharing churches.

(8) The superintendent registrar must also send to the Registrar General—

(a) the certificate, and

(b) the copies of those consents

which accompany the application in accordance with paragraph (7).

(9) The Registrar General must not register the other shared place of worship unless and until paragraph (8) and the requirements of section 43A of the 1949 Act have been complied with.

(10) A qualifying sharing church for the purposes of paragraph (6) is a sharing church—

(a) on whose behalf a trustee holds the other shared place of worship on trust; or

(1) Section 43A was inserted by paragraph 2 of Schedule 1 to the Marriage (Same Sex Couples) Act 2013.

(2) Section 26A was inserted by section 4 of the Marriage (Same Sex Couples) Act 2013.

- (b) that has used the other shared place of worship for public religious worship on two or more occasions (each of which has lasted for not less than 30 minutes) in—
 - (i) each calendar month of the six calendar month period ending immediately prior to the beginning of the month in which the certificate mentioned at paragraph (7)(a) is given; or
 - (ii) nine of the calendar months in the period of 12 calendar months ending immediately prior to the beginning of the month in which the certificate mentioned at paragraph (7)(a) is given.