
DRAFT STATUTORY INSTRUMENTS

2014 No.

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

Other shared places of worship: cancellation application process

5.—(1) This regulation applies to cancellation applications relating to other shared places of worship registered under section 43A of the 1949 Act in accordance with regulation 4 above.

(2) Such a cancellation application must be made in accordance with section 43C of the 1949 Act.

(3) But section 43C of the 1949 Act has effect subject to the following provisions of these Regulations.

(4) The cancellation application may be made either—

- (a) by a proprietor or trustee of the other shared place of worship; or
- (b) by the relevant governing authority of any qualifying sharing church which shares use of the other shared place of worship.

(5) For that purpose, in relation to a qualifying sharing church and subject to regulations 6 and 7, “relevant governing authority” means the person or persons recognised by the members of the qualifying sharing churches as competent for the purpose of making an application in accordance with this regulation.

(6) In relation to a cancellation application by a relevant governing authority—

- (a) the relevant governing authority must, not less than three months prior to the date on which the cancellation application is made, send a written notice to the proprietor or trustee of the other shared place of worship—
 - (i) stating the intention to make the application and when it is proposed to make it; and
 - (ii) providing a copy of the proposed application;
- (b) the application may not be made if the proprietor or trustee of the building has before the end of the period of three months beginning with the date of receipt of the notice sent under sub-paragraph (a) sent a written notice to the applicants objecting to the application because it disputes that the applicants are the relevant governing authority of a qualifying sharing church;
- (c) the application must be accompanied by a certificate, given by the relevant governing authority making the application, that—
 - (i) they are the relevant governing authority of one of the qualifying sharing churches;
 - (ii) the notice mentioned at sub-paragraph (a) was sent to the proprietor or trustee not less than three months prior to the date of the certificate; and
 - (iii) the proprietor or trustee has not sent a notice under sub-paragraph (b) objecting to the application;
- (d) the application must be accompanied by a copy of the notice mentioned in sub-paragraph (a);

- (e) a copy of the application (and the accompanying certificate and notice) must be sent to the proprietor or trustee when the application is sent to the superintendent registrar.
- (7) The superintendent registrar must (in addition to forwarding the application in accordance with section 43C(3) of the 1949 Act) send a copy of the certificate mentioned in paragraph (6)(c) and the notice mentioned in paragraph (6)(a) to the Registrar General.
- (8) The Registrar General must not cancel the registration before the end of the period of nine months beginning with the date of on which the cancellation application is received by the superintendent registrar.
- (9) A qualifying sharing church for the purposes of this regulation is a sharing church—
 - (a) on whose behalf a trustee holds the other shared place of worship on trust; or
 - (b) that has used the other shared place of worship for public religious worship—
 - (i) for a period of not less than two years prior to the date on which the application is made; and
 - (ii) on two or more occasions (each of which has lasted for not less than 30 minutes) in—
 - (aa) each calendar month of the six calendar month period ending immediately prior to the beginning of the month in which the notice mentioned at paragraphs (6)(a) given; or
 - (bb) nine of the calendar months in the period of 12 calendar months ending immediately prior to the beginning of the month in which the notice mentioned at paragraphs (6)(a) is given.