

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out the procedure for the registration under section 43A of the Marriage Act 1949 (“the 1949 Act”), as amended by the Marriage (Same Sex Couples) Act 2013 (“the 2013 Act”), and cancellation of the registration of buildings which are shared by more than one religious organisation for the solemnization of marriages of same sex couples.

Regulation 3 supplements section 44B of the 1949 Act which set out the procedure for registration and cancellation of the registration of shared buildings subject to the Sharing of Church Buildings Act 1969 (“the 1969 Act”).

Regulations 4 and 5 set out the registration and cancellation procedure for buildings which are shared by more than one religious organisation other than under the 1969 Act.

Regulations 6 and 7 set out respectively, the relevant governing authority for the Society of Friends and for persons professing the Jewish religion for the purposes of giving consent to use of a building that is shared with them and for cancellation of a building that they share.

Regulation 8 specifies which of the sharing churches may use the registered building for the solemnization of marriages of same sex couples and the process for notification of the Registrar General of these sharing churches.

Regulations 9 to 11 make provision for cases when a building that is registered under section 43A of the 1949 Act becomes shared, for buildings that cease to be shared and for buildings where the sharers change.

Regulation 12 sets out the address for service of the notices required under these Regulations.

An Impact Assessment has not been prepared for this instrument as no cost on business is foreseen, but an impact assessment was published alongside the 2013 Act and this is available through the DCMS website at <https://www.gov.uk/government/publications/marriage-same-sex-couples-bill>