
STATUTORY INSTRUMENTS

2020 No. 742

**The Marriage and Civil Partnership
(Northern Ireland) Regulations 2020**

PART 2

Religious Marriage of Same-sex Couples

Registration of religious body's members as officiants, and need for consent of governing authority

5.—(1) The Marriage Order is amended as follows.

(2) In Article 10 (application by religious body for member to be registered to solemnise marriages), after paragraph (1) insert—

“(1A) The application must state whether it is for the member named in it to be registered under Article 11—

- (a) for marriages of parties who are not of the same sex,
- (b) for marriages of parties who are of the same sex, or
- (c) for both those descriptions of marriages.

(1B) Where—

- (a) the statement is as mentioned in paragraph (1A)(a), and the named member is already registered under Article 11 for marriages of parties who are of the same sex,
- (b) the statement is as mentioned in paragraph (1A)(b), and the named member is already registered under Article 11 for marriages of parties who are not of the same sex, or
- (c) the statement is as mentioned in paragraph (1A)(c), and the named member is already registered under Article 11 but only for marriages of one of the two descriptions,

the application operates as an application for registration additionally for marriages of the description for which the named member is not already registered.

(1C) Where the application is for the named member to be registered for marriages of parties who are of the same sex (whether or not it is only for marriages of that description), the Registrar General must refuse to register the named member under Article 11 for marriages of parties of the same sex unless the Registrar General—

- (a) has received written notice of the consent of the body's governing authority to the member solemnising marriages of parties who are of the same sex, and
- (b) has not received written notice of withdrawal of that consent.

(1D) Consent for the purposes of paragraph (1C)(a), or its withdrawal, may be—

- (a) for solemnisations by persons who are, or who from time to time are, of a particular description, or
 - (b) for solemnisations by a person or persons identified by name.”.
- (3) In Article 11(3) (duty to register named member, except as provided by paragraph (2) of Article 10), for “paragraph” substitute “paragraphs (1C) and”.
- (4) In Article 11 (registration of officiants), after paragraph (3) insert—
- “(3A) The registration of a person under this Article must indicate—
 - (a) whether the person is, or is not, registered for marriages of parties who are not of the same sex;
 - (b) whether the person is, or is not, registered for marriages of parties who are of the same sex.
- (3B) Where a person is registered under this Article immediately before 1stSeptember 2020, that registration has effect on and after that day as a registration for marriages of parties who are not of the same sex (but subject to Article 12).”.