
STATUTORY INSTRUMENTS

2021 No. 775

The Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2021

Amendments to the 2005 Regulations

3.—(1) The 2005 Regulations are amended as follows.

(2) In regulation 2 (interpretation) —

(a) in paragraph (1)—

(i) after the definition of “authority” insert—

“built premises” means a permanently immovable structure comprising at least a room, or any boat or other vessel which is permanently moored;”;

(ii) after the definition of “holder of an approval” insert—

““linked outdoor areas” means any areas within the boundary of the land of which the built premises form part, which are not indoors and which may be used in common with the built premises;”;

(iii) in the definition of “premises”, for the words from “a permanently immovable” to the end substitute “built premises together with linked outdoor areas;”;

(iv) for the definition of “religious premises” substitute—

““religious premises” means premises where the built premises—

(a) are used solely or mainly for religious purposes, or

(b) have been so used and have not subsequently been used solely or mainly for other purposes;”;

(v) in the definition of “shared building”, after “religious premises” insert “where the built premises are”;

(b) after paragraph (1B) insert—

“(1C) An area is indoors if it is a space which is enclosed, or substantially enclosed.

(1D) For the purposes of paragraph (1C)—

(a) a space is enclosed if it—

(i) has a ceiling or roof; and

(ii) except for doors, windows and passageways, is wholly enclosed either permanently or temporarily;

(b) for the purposes of paragraph (1C), a space is substantially enclosed if it has a ceiling or roof but there is—

(i) an opening in the walls; or

(ii) an aggregate area of openings in the walls,

which is less than half of the area of the walls, including other structures that serve the purposes of walls and constitute the perimeter of the space.

- (c) in determining the area of an opening or an aggregate area of openings for the purposes of sub-paragraph (b), no account is to be taken of openings in which there are doors, windows or other fittings that can be opened or shut.
 - (d) in this paragraph “roof” includes any fixed or moveable structure or device which is capable of covering all or part of the space as a roof, including, for example, a canvas awning.”
- (3) In regulation 5 (grant or refusal of approval)—
 - (a) in paragraph (1A)(b), after “religious premises” insert “where the built premises are”;
 - (b) in paragraph (1B), for “Religious premises” substitute “In relation to religious premises, the built premises”.
- (4) In regulation 6 (conditions)—
 - (a) in paragraph (1)(a), after “Schedule 2” insert “and Schedule 2B”;
 - (b) in paragraph (1)(aa), after “Schedule 2A” insert “and Schedule 2C”.
- (5) In Schedule 1 (requirements for the grant of approval of premises that are not religious premises)—
 - (a) in paragraph 1, after “repair, the” insert “built”;
 - (b) in paragraph 2, after “The”, in the first place it occurs, insert “built”;
 - (c) in paragraph 3—
 - (i) after “The”, in the first place it occurs, insert “built”;
 - (ii) after “visiting the” insert “built”;
 - (d) in paragraph 4(b)—
 - (i) at the beginning, insert “premises where the built premises are”;
 - (ii) for “in which” substitute “where”;
 - (iii) after “is situated” insert “in the built premises”;
 - (e) in paragraph 5—
 - (i) after “to take place” insert “in the built premises”;
 - (ii) after “part of the” insert “built”;
- (6) In Schedule 1A (requirements for the grant of approval of religious premises)—
 - (a) in paragraph 1, after “repair, the” insert “built”;
 - (b) in paragraph 2, after “applies, the” insert “built”;
 - (c) in paragraph 3—
 - (i) after “The”, in the first place it occurs, insert “built”;
 - (ii) after “visiting the” insert “built”;
 - (d) in paragraph 4—
 - (i) after “to take place” insert “in the built premises”;
 - (ii) after “part of the” insert “built”.
- (7) In Schedule 2 (conditions to be attached to grants of approval of premises that are not religious premises)—
 - (a) in paragraph 1, for “these conditions” in both places where it appears, substitute “the conditions attached to the approval”;
 - (b) in paragraph 6—

- (i) at the beginning, insert “For the purposes of proceedings held in the built premises,”;
 - (ii) after “entrance to the” insert “built”;
 - (c) at the beginning of paragraph 7(1), insert “For the purposes of proceedings held in the built premises,”;
 - (d) in paragraph 8, after “All proceedings”, insert “held in the built premises”;
 - (e) in paragraph 9—
 - (i) at the beginning, insert “For the purposes of proceedings held in the built premises,”;
 - (ii) after “activity on the” insert “built”;
 - (f) in paragraph 10, for the words from “district, or” to the end, substitute “district in which the approved premises are situated, or authority, as the case may be.”
- (8) In Schedule 2A (conditions to be attached to grants of approval of religious premises)—
- (a) in paragraph 1, for “these conditions” in both places it appears substitute “the conditions attached to the approval”;
 - (b) in paragraph 10—
 - (i) at the beginning, insert “For the purposes of proceedings held in the built premises,”;
 - (ii) after “entrance to the”, insert “built”;
 - (c) in paragraph 11(1), at the beginning insert “For the purposes of proceedings held in the built premises,”;
 - (d) In paragraph 12—
 - (i) for “the” in the first place it occurs, substitute “All”;
 - (ii) after “proceedings” insert “held in the built premises”;
 - (e) in paragraph 13—
 - (i) at the beginning, insert “For the purposes of proceedings held in the built premises,”;
 - (ii) after “activity on the”, insert “built”.
- (9) After Schedule 2A, insert new Schedule 2B, which is set out in Schedule 1 to these Regulations.
- (10) After Schedule 2B, insert new Schedule 2C, which is set out in Schedule 2 to these Regulations.