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STATUTORY INSTRUMENTS

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**2021 No. 775**

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

**Transitional provision**

**6.—(1)** Paragraph (2) applies to any application or request, which has been received by an authority before the relevant date and has yet to be determined and has not been withdrawn on the relevant date, that was for—

- (a) an approval under the 2005 Regulations;
  - (b) a renewal of an approval under the 2005 Regulations;
  - (c) a review of a decision under regulation 9(1) of the 2005 Regulations;
  - (d) modification by a holder of an approval of religious premises under regulation 17(3) of the 2005 Regulations; or
  - (e) a review of a decision under regulation 17(8) of the 2005 Regulations;
- and such an application or request is referred to in this regulation as an “existing application”.

(2) Subject to paragraph (3), an existing application is to be treated on and after the relevant date as an application made under the 2005 Regulations as amended by these Regulations.

(3) For the purposes of an existing application, a reference to “premises” in the following provisions of the 2005 Regulations—

- (a) regulation 3(2)(b);
- (b) regulation 3A(2)(b);
- (c) paragraph 4(a) of Schedule 2, in the first place it occurs;
- (d) paragraph 4(a) of Schedule 2A, in the first place it occurs;

is to be read on and after the relevant date as if it were a reference to “built premises”.

(4) Paragraph (5) applies to—

- (a) any approval—
  - (i) granted under the 2005 Regulations which has not expired before the relevant date; or
  - (ii) granted under the 2005 Regulations before the relevant date that is reinstated on or after the relevant date in accordance with regulation 7(6) of the 2005 Regulations.

(5) The approval is to have effect on and after the relevant date as if it were granted under the 2005 Regulations as amended by these Regulations in respect of both the built premises and the linked outdoor areas.

(6) For the purposes of an approval to which paragraph (5) applies, and subject to paragraph (8), on and after the relevant date the approval in respect of premises that are not religious premises is to be treated as if only the following conditions were attached—

- (a) the standard conditions contained in Schedule 2 of the 2005 Regulations—
  - (i) as amended by regulation 3(7) of these Regulations;

(ii) reading paragraph 4(a) of that Schedule as though the reference to “premises”, in the first place it occurs, was a reference to “built premises”;

(b) the standard conditions contained in Schedule 2B of the 2005 Regulations.

(7) For the purposes of an approval to which paragraph (5) applies, and subject to paragraph (8), on and after the relevant date the approval in respect of religious premises is to be treated as if only the following conditions were attached—

(a) the standard conditions contained in Schedule 2A of the 2005 Regulations—

(i) as amended by regulation 3(8) of these Regulations;

(ii) reading paragraph 4(a) of that Schedule as though the reference to “premises”, in the first place it occurs, was a reference to “built premises”;

(b) the standard conditions contained in Schedule 2C of the 2005 Regulations.

(8) For the purposes of paragraph (5), any condition attached to the approval by an authority by virtue of regulation 6(1)(b) of the 2005 Regulations before the relevant date continues to apply in respect of the built premises only.

(9) In this regulation, “the relevant date” means the date on which these Regulations come into force.