**Registering local URC buildings for the marriage of same-sex couples**

**August 2016 (shorter document)**

**Practical guidance following the General Assembly decision of 9 July 2016**

 **Where this advice applies**

1. The following applies **in England and Wales**, but not in other jurisdictions where the URC serves.
2. **In Scotland**, anyone who needs advice about marriage law should consult the Synod office.
3. **In the islands (Jersey, Guernsey and Man)**, the URC has not made arrangements for same-sex marriage services, either because there is as yet no definite legislation or because legislation is recent and we have not yet formulated a response.

**What this advice covers**

1. The law of England and Wales now allows marriage between two persons of the same sex. The United Reformed Church is divided on this matter, and the General Assembly has not taken a view on same-sex marriage on the part of the Church as a whole. The Assembly has, however, declared that the appropriate council of the Church to decide on whether to solemnise such marriages is the local Church Meeting. If marriages of same-sex couples are to be conducted in your church, the building must first be registered with the General Register Office for that purpose.
2. If a URC congregation **in England and Wales** wishes to have its building registered for the marriage of same-sex couples, this brief document outlines the main things you have to do.
3. This document is accompanied by a ‘longer document’, which sets out much more detail of the matter. You will probably want to look carefully at that too, after reading this one.
4. All of the advice that follows is intended for those local churches that are ready to attend to this matter. There is, however, no legal urgency whatsoever, and local churches that wish to take longer before deciding are entirely free to take matters forward at their own pace. Equally, those local churches that do not wish to register at all are not under any pressure to do so.

**The things to do, to register your building**

1. General Assembly has declared, on 9 July 2016, that the ‘governing authority’ for the registration of a building is the Church Meeting of the local church. So a formal Church Meeting resolution is a key and necessary stage in the process.
2. Before a Church Meeting decision, a local church could do four things, to prepare the way:

 (a) discuss carefully at Church Meeting (perhaps a month or two earlier, before taking a formal decision) whether you want to do this. Be aware of the level of support in the congregation for this way forward, and of any concerns that exist. Then when you consider a formal resolution at Church Meeting, you will be able to address it knowingly and decisively;

 (b) find out who are the trustees of your building, and who is the person through whom you can correspond with them. In most cases this will be the Trust Company in your synod. The trustees are the people who apply to the Registrar General for a building to be registered, and their role in this cannot be by-passed by anyone in the local church;

 (c) if your church is an LEP or Union Church, you could not register the building on the basis of a URC decision alone. You would also need the consent of your partner denomination(s). So you might want to talk with them now, find out who would be their ‘governing authority’ for this purpose, and what that authority’s attitude would be. In some cases (including the Church of England and the Methodist Church, consent cannot presently be given);

 (d) similarly, if you allow another church, of whatever denomination or tradition, to use your premises for regular worship, you may well need the consent of their ‘governing authority’ if the building is to be registered. Again, talk with them in good time; don’t expect a rushed decision.
3. As and when you are ready to apply for registration, these are the steps to take:
4. A Church Meeting (with appropriate notice) must approve a resolution to ask for the building to be registered by such majority as your church constitution requires. The longer paper gives some draft wording for this (at Para 15).
5. A signed minute of this meeting (which cannot be earlier than the date of the General Assembly resolution on 9July 2016) should be submitted with the application.
6. The application should be sent to the secretary of the trustees of your church building (normally the Trust Company linked to your synod). There are forms to complete; see below, and also paras 24-42 of the longer document.
7. You also need to know the date and number of the certificate which shows that your building is already registered for religious worship.
8. The secretary of the trustees of your church building will also need:

– a copy of the 2016 General Assembly resolution;

– a copy of correspondence between the General Secretary and the General Register Office (which he/she should have), in order to speed up the approval process.

1. The GRO will then send you a Certificate of Registration, which you should keep carefully.

We have drafted some sample letters to be used in applications, and the text of these has been approved by the General Register Office. You will find them on the website.

**Forms to complete**

1. The necessary forms to be completed, together with guidance notes, may be found [**here**](https://www.gov.uk/government/publications/certificate-and-application-for-the-registration-of-a-place-of-religious-worship-for-the-solemnisation-of-marriages-form-78)**:**

**An authorised person**

1. **Appointing an authorised person**(a) Even if you already have a member of your congregation who is an Authorised Person to register marriages of a man and a woman, it is necessary to give separate authorisation to register the marriage of same-sex couples. That person may be the same one as you have already, or it may be a different person.

(b) If your building is already registered for the marriage of opposite-sex couples, and you are now applying to register it for the marriage of same-sex couples, you can apply immediately to have an Authorised Person for same-sex marriage. A form and guidance notes are on the URC website, just below the place where you found this document.
[If your building is not yet registered for any kind of marriage, you are likely to have to wait a year after registration before you can have an Authorised Person. In the course of that year, you would need to arrange for a registrar to attend marriage services.]

(c) When you do nominate an Authorised Person, it will be necessary to have a Church Meeting resolution appointing such a person, which will need to be minuted and signed.

(d) The name and address of the nominated person should then be sent to the Registrar General, and the superintendent registrar of the registration district in which the building is situated. The nominated person **may not officiate** for the marriage of same-sex couples, unless and until he or she has been expressly recognised for that task by the General Register Office.

**Take care and take advice**

1. If you do wish to register your building, we recommend that you read the longer document with care. This will take some time, but it will help you to get the matter right.
2. If in doubt, take advice. You are always welcome to write to Tavistock Place and enquire of a member of the General Secretariat. Nearer to hand, your Synod Moderator will have good counsel to offer. Seeking advice may be, in some cases, the best way of making sure that you are handling matters properly.

**For the service itself**

1. There is a sample marriage service on the URC website, just below the place where you found this document. A note is there of certain words that you **must** include, along with some possible wording for the rest of the service.

*Prepared by members of the URC’s Law and Polity Advisory Group.*

*John Proctor, General Secretary, August 2016*