

# Paper P1

**Law and polity advisory group**

Marriage in Jersey

Church 2018  
**United**  
Church **Reformed**  
**Church** Church 2018

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## Law and polity advisory group Marriage in Jersey

### Basic information

<b>Contact name and email address</b>	The Revd Dr John Bradbury <a href="mailto:jpb44@cam.ac.uk">jpb44@cam.ac.uk</a>
<b>Action required</b>	Decision.
<b>Draft resolution(s)</b>	<b>See below.</b>

### Summary of content

<b>Subject and aim(s)</b>	Jersey now allows the marriage of same-sex couples. This paper proposes a URC response to this new law.
<b>Main points</b>	The URC response to the legislation in Jersey should be as close as possible to that in other jurisdictions where we serve.
<b>Previous relevant documents</b>	General Assembly 2016, resolution seven.
<b>Consultation has taken place with...</b>	Moderator of Wessex Synod.

### Summary of impact

<b>Financial</b>	None.
<b>External (e.g. ecumenical)</b>	Some partner churches would welcome a URC decision of the kind proposed, and others would disagree with it. The responsibility assigned to the local congregation would give them significant control over their witness on the island in this matter.

# Marriage in Jersey

1. The government of Jersey has approved a law permitting same-sex couples to marry, which is operative since July 2018. This paper proposes a URC response to the new law.
2. The Jersey law combines, in some ways, the English and Welsh legal approach to religious marriage, which largely depends upon the registration of buildings, and the approach of Scots law, in which the nomination by churches of celebrants is a key requirement. Thus our response in Jersey ought to match, so far as possible, the provisions we have made in these other, larger, territories, following the General Assembly decision at Southport in 2016.
3. The draft resolution that follows would effect the necessary provisions. LPAG commends it to Mission Council.

**Following the passing of resolution seven of the Assembly of 2016, Mission Council, acting on behalf of General Assembly:**

- a) notes that under the Marriage and Civil Status (Jersey) Law 2001 as amended by the Marriage and Civil Status (Amendment No. 4) (Jersey) Law 2018, the marriage of same sex couples is now lawful in the Bailiwick of Jersey
- b) recognises that the competence and functions of Church Meetings on Jersey are no different from those of any other Church Meeting in the United Reformed Church
- c) accepts that the definition and role of a 'governing authority' in the amended Jersey Law of 2001 are in essentials the same as those of a 'governing authority' under section 26(A)(1) of the Marriage Act 1949 in England and Wales; but
- d) notes that the amended law of Jersey provides also for the appointment of 'authorised religious officials' to solemnize marriage, and that the competence and functions of such officials are in essentials the same as those of 'approved celebrants' under section eight of the Marriage (Scotland) Act 1977
- e) notes further that the amended law of Jersey provides also for religious organisations to approve locations (other than their own usual places of worship) for the solemnization of marriage by their own rites and usages. Accordingly Mission Council, acting on behalf of General Assembly
- f) declares, for the avoidance of doubt, that paragraph B of resolution seven applies to Church Meetings on Jersey in the context of the Jersey legislation as it does to Church Meetings in England and Wales
- g) directs that, on Jersey, paragraphs C, E and F of resolution seven shall apply with the necessary modifications
- h) declares that it lies within the competence of the Synod of the Province of Wessex to make any nominations required by a scheme under section 6(3) of the amended Jersey Law of 2001 of members of the United Reformed Church who have indicated their willingness in writing to be authorised religious officials for marriage solemnization on Jersey
- i) declares that it lies within the competence of any Church Meeting on Jersey to approve, in the name of the United Reformed Church under section 23(10)(b) of the amended Jersey Law of 2001, locations on Jersey (other than the usual place of worship of a local church) for the purpose of solemnizing marriages according to the rites and usages of the United Reformed Church.