



## Guidance regarding Authorised Persons in respect of marriages of same sex couples

- Authorised Persons can only be appointed for same sex marriages if the building is registered for the solemnisation of same sex marriages.
- The application form to register as an Authorised Person (AP) for marriages of opposite sex couples or same sex couples, or both, may be downloaded [here](#).
- **This guide in no way replaces the detailed guidance contained within the Home Office's [Guide for Authorised Persons](#). The Home Office's guide is essential reading for every AP.**
- If a building is registered for the marriage of same-sex couples, the congregation may apply to have an Authorised Person appointed. This could be, but would not need to be, the person who is already an AP for the marriage of opposite-sex couples. But whether it is the same person or another person, it is still necessary for the congregation to apply and to ask the registration authorities to appoint. There is no automatic right or requirement that the person who fulfils one role should also take on the other.
- Not all APs for marriages of opposite sex couples at individual churches need to be APs for marriages between couples of the same sex. As a result, should any individual AP want to solemnise a marriage between a man and a woman but not want to undertake the solemnisation of a marriage between a couple of the same sex, there is no need for that person to apply to become an AP for marriages of couples of the same sex. No person may be appointed an AP for any purpose against their will.
- Equally, should an AP only wish to undertake the solemnisation of marriages between couples of the same sex, that is permissible, and it is only a matter of ticking the appropriate box on the application form to become an AP.
- A marriage of an opposite sex couple may only be solemnised in a church building if the building is registered for the solemnisation of marriages of opposite sex couples. The AP may act as AP at that marriage only if he or she is authorised to solemnise marriages of couples of the opposite sex.
- A marriage of a same sex couple may only be solemnised in a church building if the building is registered for the solemnisation of marriages of same sex couples. The AP may act as AP at that marriage only if he or she is authorised to solemnise marriages of couples of the same sex.

- A person can be appointed to both roles but an appointment to both roles would require two separate resolutions.
- There is no obligation to appoint to either AP role but should there not be an AP available for the marriage that is to take place, a registrar from the local register office will need to attend for each wedding and the cost for the couple wishing to be married is likely to be significantly more than the fee if an AP is in place.

### **When should the application be submitted to become an Authorised Person for marriages of same sex couples?**

- It is desirable to submit the application form for the appointment of an AP for the marriages of same sex couples at the same time at which the application for the registration of the building for marriages of same sex couples is submitted. The reason for that is the flexibility and reduction in cost that an AP will provide. Where a church building has one or more AP, the time of a wedding is not restricted to the time at which a registrar from the local register office can attend, and the cost charged to a couple getting married is usually significantly less than the fee a registrar would charge for attending the wedding.

### **Who appoints Authorised Persons?**

- APS may be appointed by the trustee(s) or governing body of the registered building.
- The governing body, in the context of the United Reformed Church (URC), means one of the councils of the local church. In practice, this means either the Church Meeting or the Elders' Meeting.
- In most areas, the church building is vested in the trust company serving the province or nation on whose synod the local church is represented. At most local churches therefore, the trust company is the sole trustee and the application form for the appointment of an AP must be signed on its behalf.
- On a practical level, after the Church meeting has appointed an Authorised Person, when the relevant sections of the application form have been completed, the application form should be sent to the Synod Trusts office. (On pages 4 to 7 there is a step-by-step guide to completing the application form).

### **What if the church does not currently have an Authorised Person: When can an AP be appointed?**

- The first appointment of an AP for marriages in a registered building can be made after the building has been registered for the solemnisation of marriages for at least one year.

- Further appointments can be made at any time after the year has elapsed.
- An AP for a building appointed for a building can only act as such when duplicate marriage register books have been issued for the building by the General Register Office. A strong fire-resistant safe will be needed to house the registers, so there is no point in making an appointment before such a safe has been obtained. If no such registers are held at the building at any given period, then marriages taking place during that period must be solemnised in the presence of a registrar from the local register office.

### **Who can be appointed as an Authorised Person?**

- Any adult can be appointed to an AP role if he or she is willing to accept it. It is important, however, for the appointing body to be satisfied that the person under consideration is suitable, reliable and competent. It may also be considered desirable that APs for United Reformed Church buildings are church members. The practice in some local churches has been for the Minister to be appointed as AP but this is preference not obligation.

### **The Responsible Authorised Person**

- One of the APs will need to be the 'Responsible Authorised Person' who will be the first point of contact for the General Register Office. Provided the person is willing to accept the duties of this role it does not matter whether he or she is authorised for the marriages of opposite sex or same sex couples, or both.
- Where a church building already has a Responsible Authorised Person for opposite sex marriages, he or she may continue to fulfil that role even if s/he or chooses not to become an AP for the marriages of same sex couples.
- Where a new Responsible Authorised Person is being appointed, the body which appoints APs for the building should decide which of the APs is to be the Responsible Authorised Person. In practice, the body which appoints APs will be the Church Meeting.
- The Responsible Authorised Person is responsible for ensuring custody of the marriage registers in the fire resistant safe and for completing the quarterly marriage return which is required to be sent to the local registry office at the end of each quarter.
- A Church Meeting should consider what will happen during a ministerial vacancy because, when the local church is in vacancy, there will need to be a Responsible Authorised Person who is not the minister.

## **How many Authorised Persons can there be at a registered building?**

- There is no restriction on the number of such appointments.

## **When can an Authorised Person start to register marriages?**

The AP must not commence with his or her duties with the registration of marriages until he or she receives confirmation from the General Register Office (GRO) that his or her appointment has been recorded.

- An appointment form must be completed and signed by two trustees or members of the governing body and sent to the GRO for the details to be recorded.

## **How is the appointment of an Authorised Person notified to the General Register Office?**

- Every appointment of an AP must be certified to the GRO and to the local Superintendent Registrar (SR) within one day of it being made. This means that GRO form AP1 must be completed, signed and posted (or signed, scanned and sent as an email attachment) to the GRO. The addresses for this purpose are printed on the form.

## **A step-by-step guide to completing the application form to become an Authorised Person for marriages**

The application form to become an AP – Form AP1 – for marriages is entitled, ‘Certificate of Appointment of Authorised Person by Trustee or Governing Body of a Registered Building – Marriage Act 1949’ and is called Form AP1 which can be downloaded [here](#).

### **In section 1 – Registered Buildings Details – applicants must complete:**

- The marriage number of the building to appear at section 1.1 of the Form AP1 will appear on the certificate (or either of the certificates) of registration of the building for marriages.
- If the marriage number of the building cannot be swiftly located, the GRO or local register office will be able to supply the number.
- The details on the remaining parts of section 1 should correspond to those on the certificate of registration.
- The building name, such as Anytown United Reformed Church.
- The denomination: The United Reformed Church.
- The address of the church making the application for registration of its building for the marriage of same sex couples.
- The registration district, meaning the district in which the local register office is located.

**Section 2 of the form – Trustee/Members of Governing Body – requires the trustee to choose one of three options concerning the details of the authorisation**

- The choices are:
  - a) Marriages between a man and a woman in accordance with section 43 of the Marriage Act 1949.
  - b) Marriages of same sex couples in accordance with section 43B of the Marriage Act 1949.
  - c) Both marriages between a man and a woman in accordance with section 43 of the Marriage Act 199 and marriages of same sex couples in accordance with section 43B of the Marriage Act 1949.
- In section 2 of Form AP1, only one of the three boxes (a) – (c) should be ticked.
- Section 2.1 of the form also requires the trustee to tick a box to confirm that the church building has a strong fire-resistant safe for the storage of the registration stock.
- The date at 2.2 should be the date on which the person appointed is willing to take up the role, though not earlier than the day after the form is completed.
- If it is planned that the person appointed will attend and register a marriage for which plans have already been made, the date of the ceremony should be stated at paragraph 2.3. It is not advisable for this to be within three weeks of the form being completed, since the GRO may not be able to process the application in less than three weeks.
- If it is being made by individual trustees of the building appointed by the Church Meeting, two of those trustees should write their details at the foot of the first page of the form and sign it.
- If it is being made by a Church Meeting or an Elders' Meeting, the words 'Trustee details' should be struck out and replaced by, 'Governing Body Details' followed by, 'The Church Meeting of ... United Reformed Church (or Elders' Meeting as the case may be). In the two boxes against the word, 'Name', insert the names of the minister or other person who presided at the meeting in question, and of the church secretary, these should state their position at the top of the boxes containing their addresses, and each sign the form on behalf of the meeting.

**Section 3 of the form – Authorised Persons Details – and requires the applicant to state:**

- Whether the applicant is to be the Responsible Authorised Person or an additional AP.
- The applicant's name
- The applicant's address
- The applicant's home telephone number
- The applicant's mobile telephone number and
- The applicant's email address.

**Section 4 of the form is to be completed in the following way by the person applying to become an AP**

- The applicant is required to confirm to the Registrar General and the Superintendent Registrar that he or she agrees to be present at the solemnisation of the following:

- i) Marriages between a man and a woman in accordance with section 43 of the Marriage Act 1949; or
  - ii) Marriages of same sex couples in accordance with section 43B of the Marriage Act 1949; or
  - iii) Both marriages between a man and a woman in accordance with section 43 of the Marriage Act 199 and marriages of same sex couples in accordance with section 43B of the Marriage Act 1949.
- Section 4 of the form requires the individual who is applying to be an AP to sign the confirmation to the Registrar General and the Superintendent Registrar that s/he agrees to be present at the solemnisation of one of the above three options.

### **Section 5: Declaration**

- Section 5 of the form requires the applicant to sign to confirm that s/he has read the guidance notes which accompany the form and that he or she agrees to his or her contact details being stored and used by the Registrar General for purposes relating to my role as an AP for the registered building named in Section 1 of the form.

### **The response to the application**

The response to the application to become an AP and/or a Responsible Authorised Person will be notified in writing to the applicant by a letter from the GRO.

### **Changes of name and address**

- APs who change their name, address or email address need to notify the General Register Office either by emailing [marriages@ips.gsi.gov.uk](mailto:marriages@ips.gsi.gov.uk) or by writing to Casework Section, General Register Office, PO Box 476, Southport, Merseyside PR8 2JD.

### **And finally ...**

**Don't forget this guide in no way replaces the detailed guidance contained within the Home Office's [Guide for Authorised Persons](#). The Home Office's guide is essential reading for every AP.**

This guidance booklet was written by the United Reformed Church law and polity advisory group, July 2018. © 2018, The United Reformed Church.

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