



**Law  
Commission**  
Reforming the law



## **Celebrating Marriage: a new weddings law**



EasyRead version of:  
**Celebrating Marriage: A New Weddings Law**

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**Law  
Commission**  
Reforming the law

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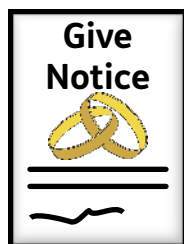
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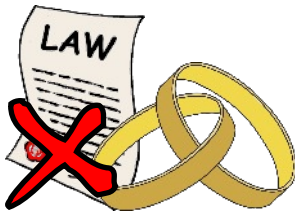
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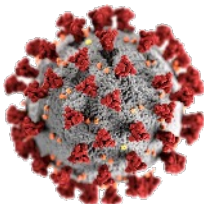
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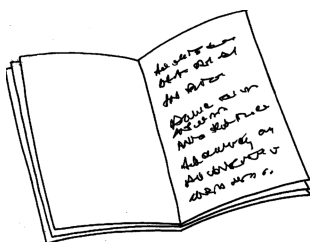
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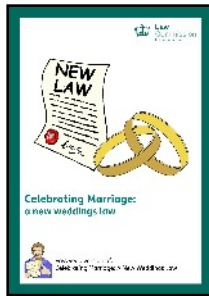


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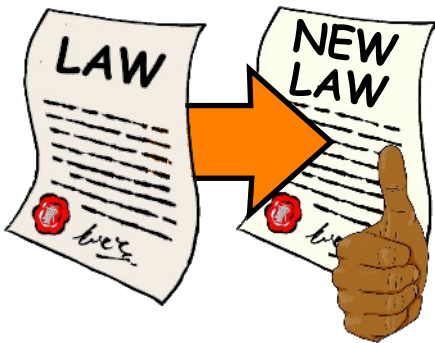
Some words are in **bold**. There is a list of what they mean on the last page.

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# Who wrote this report?



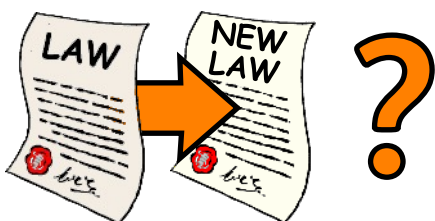
The Law Commission wrote this report.



We are independent (not part of the government). We look at laws and suggest changes to make them better.



We think the law about getting married in England and Wales is old fashioned and confusing. It does not work for many people.



This report tells you about changes we want to make.

# What is this report about?

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This report is about weddings and getting married.



Weddings are important because:

- people celebrate in a way that is right for their beliefs, history and lives
- people who are married have **legal rights, duties and responsibilities**
- the government needs to know who is married and that marriages are **legal**. They must protect people from being forced to marry, especially if they cannot decide for themselves. They must also stop **sham** marriages when couples only marry to get the **right** to live in this country.





But the law stops lots of couples having the wedding they want.



Many couples cannot marry **legally** in a place that is important to them. Other couples cannot have a **ceremony** with words, music or actions that are important to them.



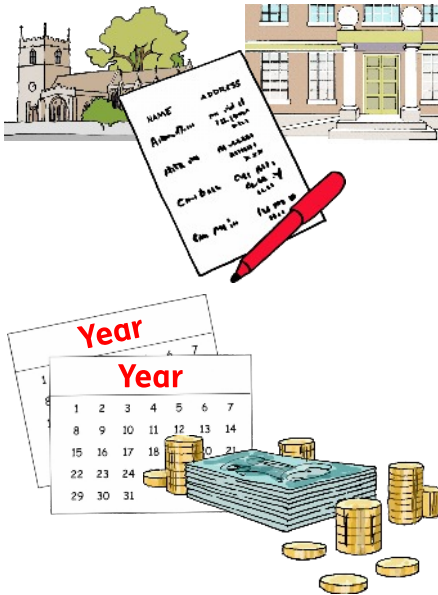
So couples often:

- have 2 **ceremonies**. One keeping to the law and one the way they want to celebrate
- get married in a country with different rules about weddings
- celebrate in a way that means a lot to them but is not a **legal** marriage. If this happens, they are not protected if they split up or one of them dies. This can be especially difficult for women and children.





When couples have a **legal** wedding there can still be problems:

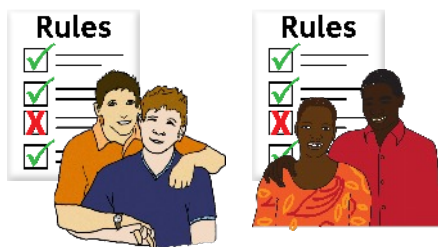


- couples can only get married in a place which is **registered** for weddings

- some **registered** buildings or places are very expensive and get booked up many years ahead



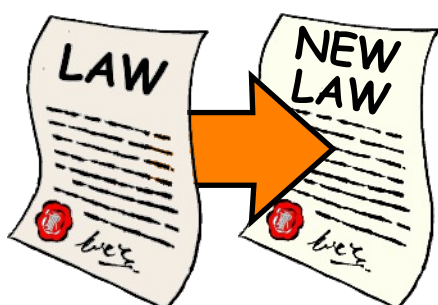
- cheaper places like **register offices** are very busy. Their rules might mean only a few family and friends can be there



- the law treats some couples differently. They must follow different rules to marry **legally**.



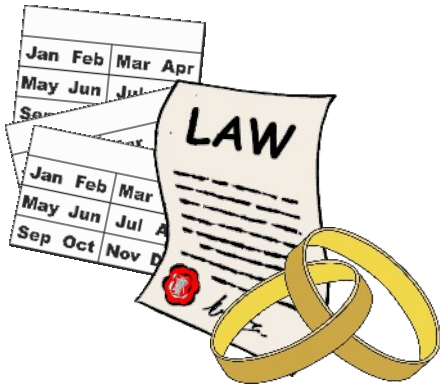
So some couples put off getting married.



This report tells you how we want to change the law.

# Why do things need to change?

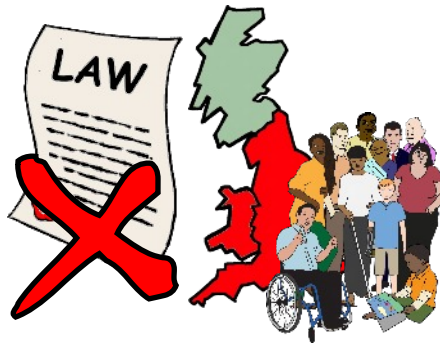
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The law about weddings is the Marriage Act 1949. This is based on much older laws and rules.



The law comes from a time when nearly everyone lived, married, and died in the same place. Most people believed in the same things and lived the same sort of lives.



But things are very different now. The law about how and where people can marry does not work for all the different people who live in England and Wales.



At the moment, there are different rules for **civil weddings** and religious weddings. Then some religions have to follow different rules too:

- Jewish and Quaker weddings can take place anywhere





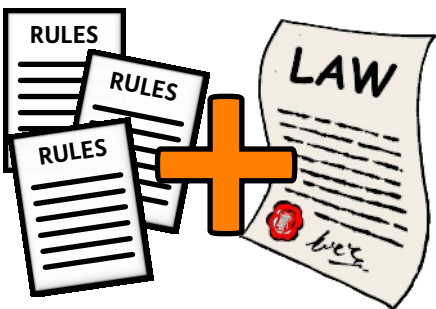
- Anglican (Church of England or Church in Wales) weddings must usually be in a church or chapel



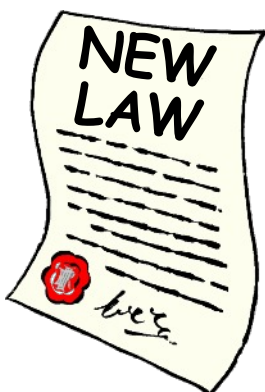
- All other religious weddings must be in a **registered** place of worship



- **Civil weddings** must be in a **register office** or a building that is **registered** for weddings, or its gardens.



Wedding law has been changed and added to over time and is very complicated.



We need to start again and make a law that is simpler and fairer for everyone.

# What we looked at

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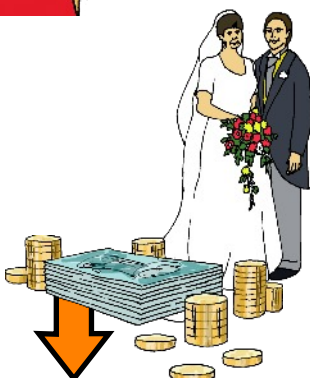


We looked at weddings law to find out what needs to change.



Then we looked at how to:

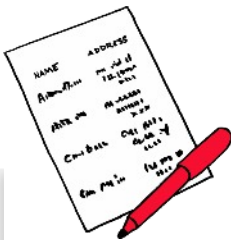
- make things more simple
- treat everyone fairly
- support people with different beliefs and ideas
- give people more choice
- make it simpler and cheaper for couples to get married.





We thought about:

- **legal** things couples must do before they can marry
- where couples can marry
- the person who **conducts** the wedding **ceremony** or checks everything is okay and the **legal** parts of the wedding happen. They are called the **officiant**
- whether all weddings should include some of the same **vows** or promises
- how to **register** marriages
- what happens if couples do not follow the rules about getting married.



In 2020 we asked what people thought about wedding laws. We found many people are confused by all the different rules.

We did not look at things that are covered by other laws. For example:



- who is allowed to get married



- **rights** and **responsibilities** for people who are married



- whether there should be a new way to allow couples to hire professionals called celebrants to run weddings. Or whether organisations that have beliefs but are not religious should lead **legal** weddings.



But the government is looking at some of these.

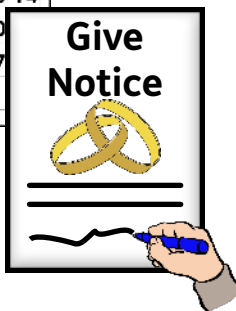
# What we want to change

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## What happens now

The law says 3 things must happen for a couple to be **legally** married:

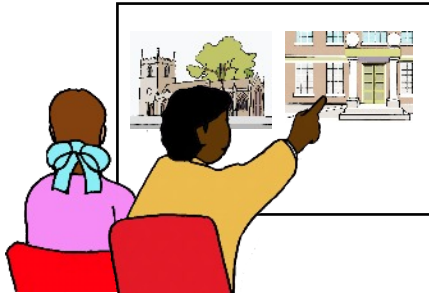


1. **Notification** – the couple must let other people know they plan to marry. They must do this in the area they have lived in for the past 7 days. Couples getting married in the Church of England or Church in Wales can give their **notification** to the church.



This gives people time to **object** if they think the wedding is against the law. For example, if one of the couple is already married, not free to marry, or cannot make or understand the decision to get married.

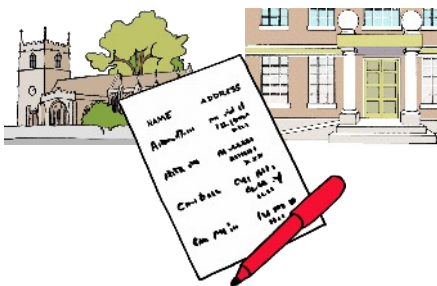




2. **Ceremony** – couples can only choose a religious wedding or a **civil wedding**.



The marriage must take place in front of someone who is **registered** or be checked by them. This can be a vicar, priest, pastor, or imam for a religious wedding or a **registrar** for a **civil wedding**. It is their job to make sure your wedding meets all the rules to make it **legal**.



Most couples can only get married in a building that is **registered** for weddings. This is usually a religious building, **register office**, hotel, or stately home.



3. **Register** – the couple sign a paper at their wedding **ceremony**. Other people **witness** this and sign to say it was done properly.





This paper is added to the local marriage **register** and the couple are sent a certificate to show they are **legally** married.

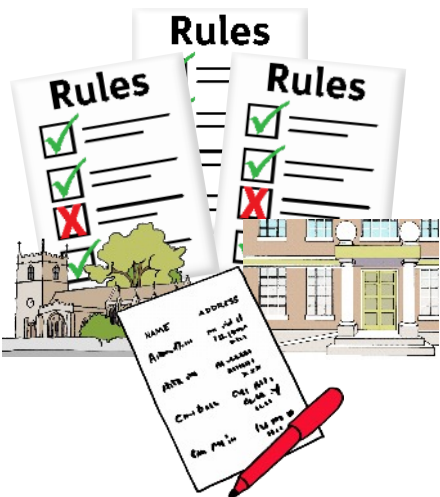


If the couple do not follow these rules, the couple may not be **legally** married.

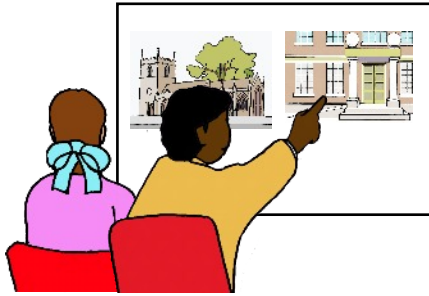


## What can be difficult

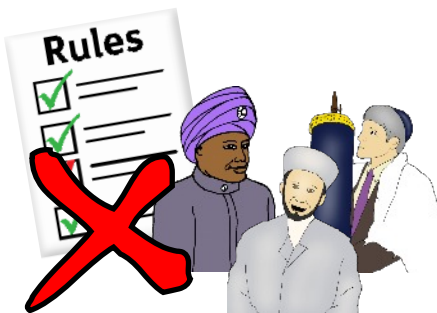
Giving **notice** in your local church or **register office** is not the best way to tell everyone that you plan to get married.



There are too many rules about which places can be **registered** for weddings. This means smaller local buildings cannot afford to hold weddings and many couples cannot marry in a place that is important to them.



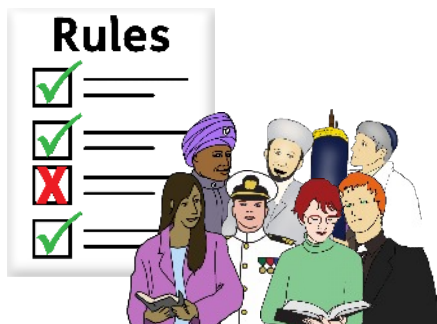
Couples can only choose a religious or a **civil wedding**. This means couples who marry in a **register office** cannot include anything religious. Couples who have different beliefs must choose between them if they want a religious wedding.



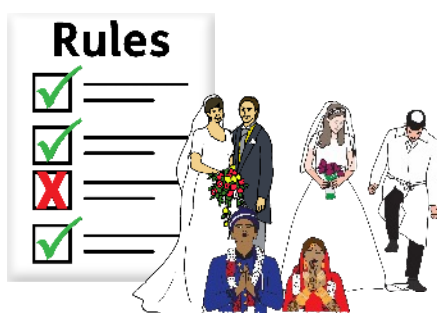
Some couples having a religious **ceremony** do not know they are not following the rules. Their marriages may not be **legal**.

## Our ideas

Our 2 main ideas are:



1. To have rules about weddings that are based on who **conducts** the wedding or is there to check everything is okay. Instead of rules based on where the wedding takes place.



2. Have the same rules for all weddings.

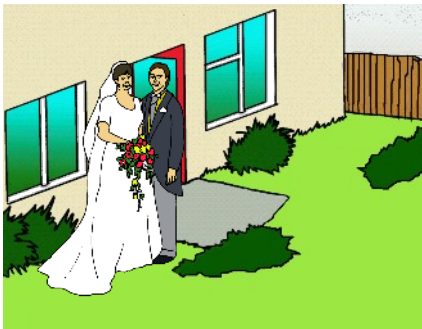


Our changes mean couples:

- would put the **notice** about their wedding **online** so more people could see it



- would have more checks and information before they get married. This would make sure the wedding is **legal** and they both understand and are happy with the decision



- could marry in a place they choose and can afford. This might include their own homes or outdoor places like parks or forests



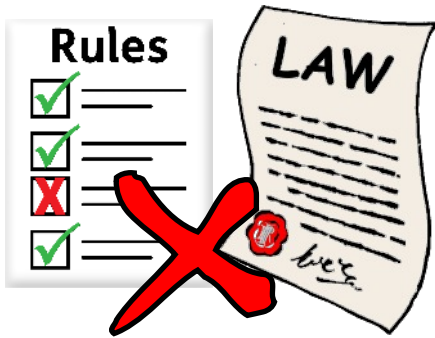
- could have a religious marriage in any building, or outside



- have more choice about who **conducts** their wedding or is there to make sure everything is okay



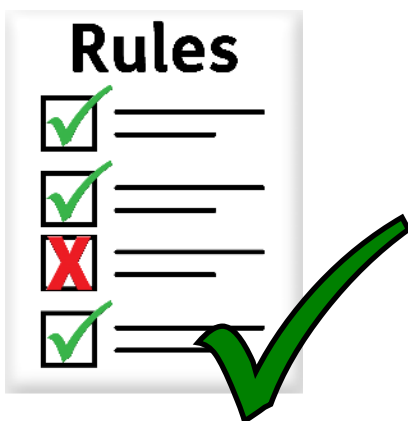
- could have some hymns and prayers in a **civil wedding**



- know exactly what would happen if they do not keep to the rules and their marriage is not **legal**.



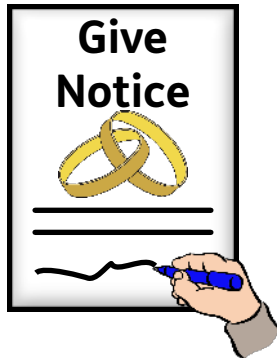
These would be the biggest changes to wedding law for 200 years. We can learn from other countries who have done the same thing.



Some people worry that giving couples too much choice about their weddings might make **ceremonies** less special or important. But couples would still have to keep to the rules. And they could still choose the type of weddings we have now.

# What the changes would mean

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This section tells you more about the changes we would like to make to the rules about:

1. **Notification** and getting permission to marry



2. **Officiants** – people who **conduct** weddings or is there to make sure everything is okay



3. **Ceremonies**



4. **Registering** the marriage



5. What happens if a marriage is not legal?



We explain what would happen at each stage and what would happen if a marriage was not carried out **legally**.

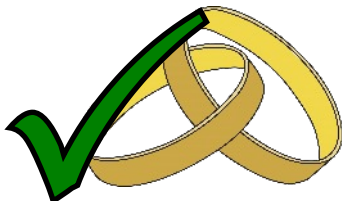


We also think about emergency plans for weddings, based on what we learnt from the Covid-19 pandemic.



## 1. Notification and getting permission to marry

Couples must go through checks before they have permission to marry.



This is to make sure:

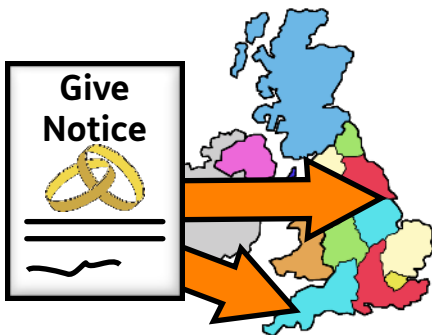
- they are free to marry
- this is not a forced or **sham** marriage



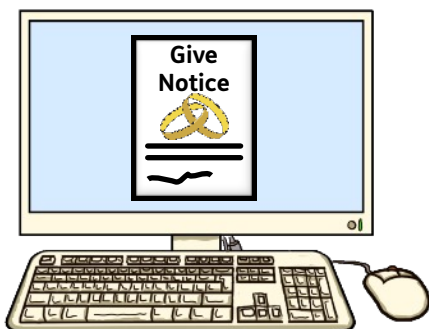




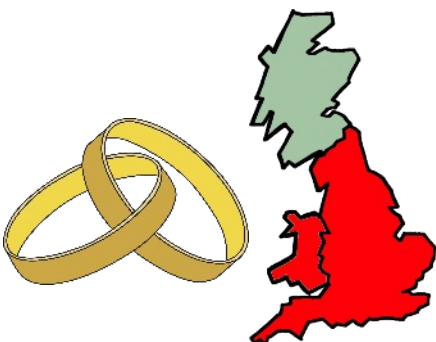
- They both understand and agree to the marriage.



We think couples should still give **notice** that they plan to marry. But they would do this through a **registrar** in any area and not just where they live.



They could also give **notice online**, so long as they met a **registrar** at least 5 days before they get married.



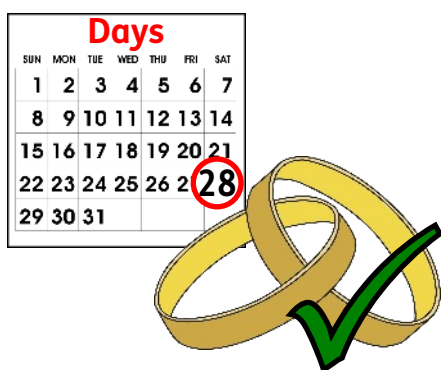
This would be much easier for people who live in another country but want to get married in England or Wales.



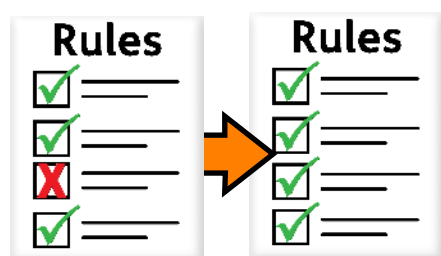
The **registrar** would interview the couple to make sure they understand their decision and are not being forced to marry. They would talk to each person on their own.



If a friend or family member is worried that someone might be forced into marriage, they could tell the **registrar** even before the couple give **notice** to marry.



Couples would still wait at least 28 days between giving **notice** and getting married. This is to give other people time to find out about the wedding and **object**.



Sometimes the rules could be changed if there is a good reason why the couple cannot wait. For example, if one of the couple is seriously ill or dying.



For Anglican (Church of England or Church in Wales) weddings the **notice** may need to be read out on 3 Sundays in more than one church. The rules about giving **notice** would stay the same for Anglican weddings. But it would be read out in the couple's local church only. They would also have the other new checks to make sure they are free to marry.



Many people worry about the risks for people who cannot understand and make decisions for themselves. For example, older people might be led into getting married without their family knowing. This means their money goes to their new husband or wife if they die, and not to their family.



It is already against the law to marry someone who does not want to get married or who cannot understand the decision. We hope our ideas for more checks will make it much more difficult for things like this to happen.

## 2. Officials



The person who **conducts** the wedding, or is there to check that the **legal** parts of the wedding happen, is called the **officiant**. They are the most important part of our plans to change things.



Our new rules are about who the **officiant** is, not the place where the wedding is held.



This would be a big change for England and Wales but already works well in other countries.

### The officiant's job

We think the law should say an **officiant** must:

1. Make sure the couple understand the decision to get married and agree to get married





2. Make sure the wedding is **legal**. This includes having **witnesses** who sign to say the marriage was done properly



3. Make sure the couple sign the marriage papers at the **ceremony**. Make sure the same people turn up to get married, not someone pretending to be them.



**Officiants** know a wedding is important and serious. They could stop the **ceremony** if they think people do not respect this.



If an **officiant** does not do their job properly, it might not affect the marriage. But they could be charged with a crime or stopped from **conducting** weddings.



## Different types of officiant

We think there should just be one idea of what an **officiant** does.



But there would be different **officiants** for **civil** and religious or belief weddings.



These are the people we think should be **officiants** for religious or belief weddings:

- Anglican (Church of England or Church in Wales) clergy
- Someone chosen to act for a religious organisation. This could mean a priest, minister, or other religious leader. They would be at least 18 years old and trained to **conduct** a **legal** marriage
- If the government agrees to it, organisations like Humanists that are not religious but have strong beliefs could also choose **officiants**.

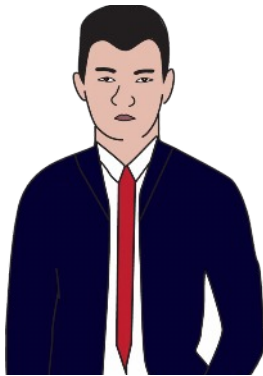




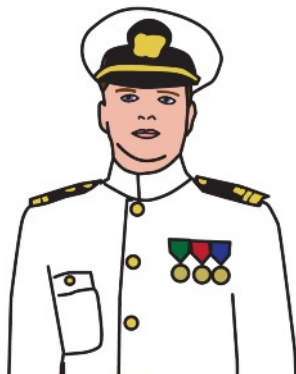
These are the people we think should be **officiants** for **civil weddings**:



- **Registrars** who work for the local council would only be allowed to **conduct civil weddings**. This could be in a religious building if the couple want a separate religious **ceremony** before or afterwards



- If the government agrees to it, people who are not part of a civil or religious organisation could be independent **officiants**. They would be checked and **registered**, at least 18 years old and trained to **conduct** a **legal** marriage

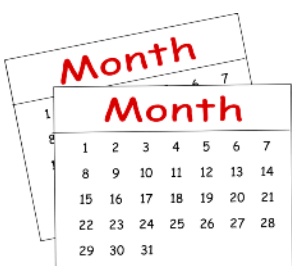


- Captains or other senior officers of cruise liners could **conduct civil weddings** on some ships. They could also **register** as independent **officiants**.

## Different types of organisation

Before an organisation can choose members to be **officiants**, they would have to meet rules about:

- how long they have been running





- their members
- their meetings
- how they would choose and check **officiants**
- why it is important for their members to be married by someone from their organisation.

## Paying officiants



**Officiants** could charge couples for their time and expenses in preparing for the wedding and **conducting the ceremony**.

But they would always have to say which organisation they are linked to.



Independent **officiants** would not try to make money by selling the couple things like flowers or food for the wedding.

## Training and checking officiants

**Officiants** would be **registered** to **conduct** weddings until:

- they leave the church, council or organisation that chose them
- they do their job badly and are told they cannot do it anymore.



The Church of England and Church in Wales would train and check their **officiants**.



Local councils would train and check **registrars**.



The General Register Office would train and check independent **officiants** and ship's captains.



They would be the main organisation in charge of **officiants** chosen by other organisations and would step in if other organisations did not deal with problems properly.



### 3. Wedding ceremonies

The **ceremony** is a way for the couple to show clearly, in front of the **officiant** and **witnesses**, that they understand and agree to the marriage.



After this, they sign the marriage papers.



In a religious or belief **ceremony** the couple would say they agree to the marriage or do something traditional to show this. For example, in a Sikh wedding they would walk together around the holy book, and everyone would understand what this meant.



In a **civil ceremony** the couple would have to say certain words to show they agree.



Apart from agreeing to the wedding and signing the papers, the couple would decide everything else. They would talk to the **officiant** and choose what happens in the **ceremony**.



The **officiant** would make sure the couple follow all the rules for weddings.



### Including beliefs in a civil wedding

Many couples who have a **civil wedding** want to include prayers, reading or hymns.



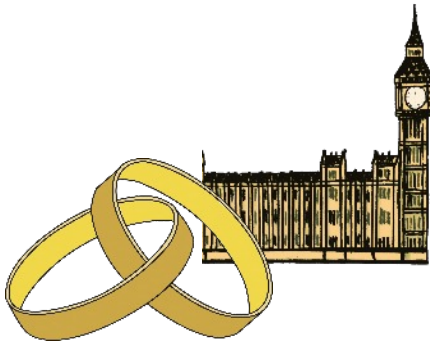


The new rules mean they could do this if the **officiant** tells everyone this is a **civil wedding** and the couple use the set words for **civil ceremonies**.



## Weddings that are open to the public

At the moment, the rules say some weddings must be open to anyone. Other weddings can be private.



The government and other people need to know about weddings to make sure they are **legal**.



But the new checks before the wedding will look at whether the couple are free to marry and understand the decision.





We think all weddings should be private if the couple want them to be.

## Where the wedding is held

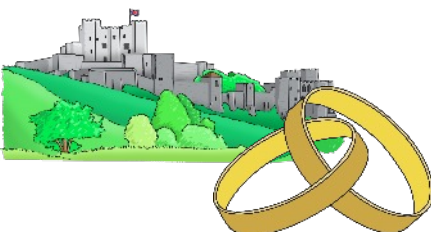
Having rules about the **official** for the wedding, not the place it is held, means more choice about where to marry. But:



- the **official** would have to agree it is safe for the people who will be there and is right for a wedding. This means somewhere that has special memories or reminds the couple how important the **ceremony** is



- religious and belief organisations could have their own rules about where their weddings must take place.



Things are already changing in England and Wales. The government said couples can have a **civil wedding** in the gardens of a **registered** building.

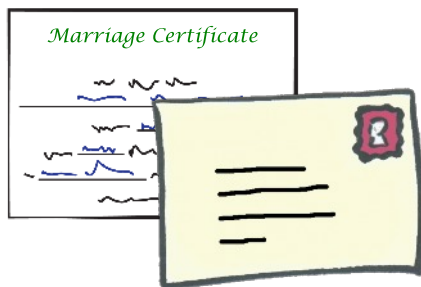
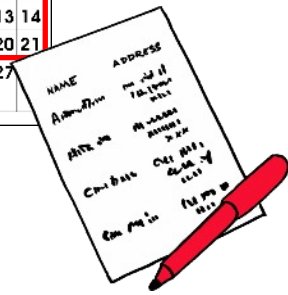


The government also plans to let couples marry in the grounds of Anglican (Church of England and Church in Wales) churches and chapels and other **registered** places of worship.

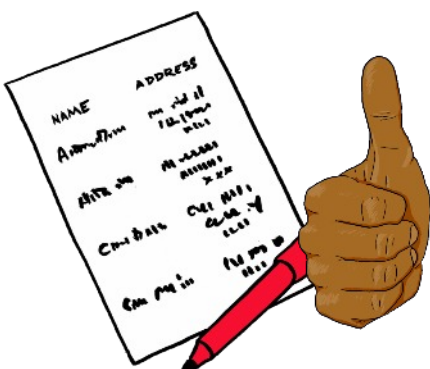


#### 4. Registering the marriage

When the couple are married, the **officiant** must **register** the wedding within 21 days.



This means sending the papers they signed at the **ceremony** to the local registration office.

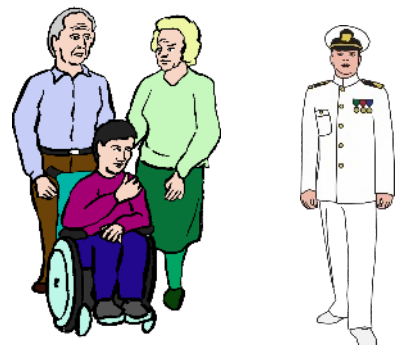


Last year the government brought in a better way of collecting information and **registering** marriages.

Our ideas would work well with this and mean there is public information about the couple and their wedding:



SUN	MON	TUE	WED	THU	FRI	SAT
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



- their names
- their date of birth
- their jobs
- whether they have been married before
- the **witnesses**
- the date of their wedding
- where they got married
- the organisation the **officiant** is from.

The couple can also choose to add their parents' names and jobs and the name of the person who performs the ceremony.

## 5. What happens if a marriage is not legal?

If a couple or the **officiant** do not do what the law says, one of these things might happen:



- the marriage will not count as the couple broke all the important rules



- the wedding will be **legal** for some purposes as the couple followed some of the important rules

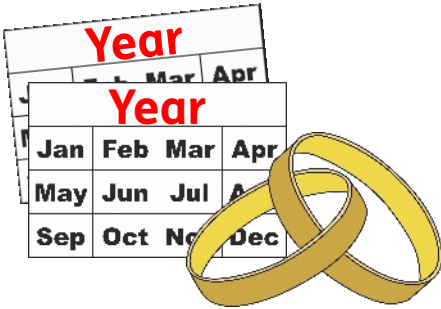


- the wedding will be **legal** for all purposes as the couple followed the important rules.

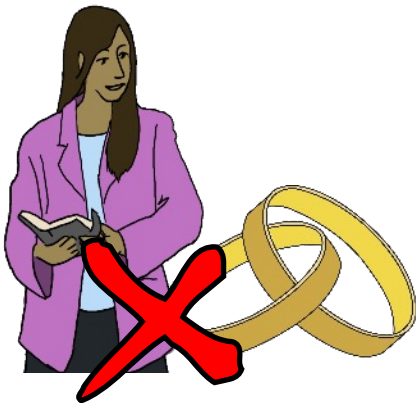


We want to make things simpler and have only 4 important rules. A couple would break these rules if:

1. One or both them do not fill in the paperwork before the wedding.



2. The wedding is more than a year after the couple have permission to marry.



3. They both know the **officiant** is not allowed to **conduct** the wedding.



4. It is a religious same-sex wedding and the organisation is not allowed to offer these.



A marriage would not count if the couple broke all the important rules:

1. If one or both the couple do not fill in the paperwork before the wedding and they both know the **officiant** or their organisation should not marry them.



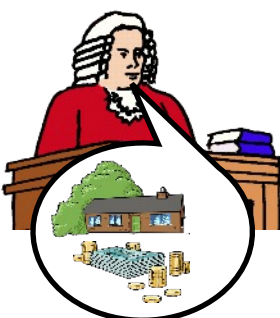
But not if only one of the couple knows the **officiant** should not marry them.



2. If one or both the couple do not agree to the marriage by signing the papers or in the **ceremony**.

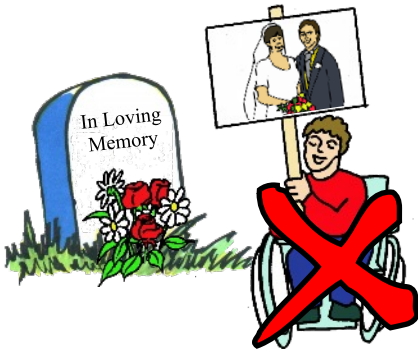


If a court decides a wedding is only **legal** for some purposes because the couple followed some of the important rules and they split up, it is like a divorce.

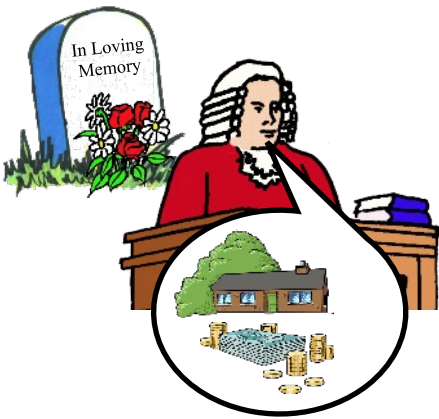


The court can decide how the couple share things like money or their house.





But if one of the couple dies the other person does not have the **rights** of a husband or wife.



If a wedding does not count the couple are treated as if they lived together. The court cannot decide how to share things if they split up and they have no **rights** if their partner dies.

# Weddings that are just religious

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Religious weddings that break all the important rules can cause problems. They do not count in the law, and the couple have no **rights**. This is happening for many people, especially in Muslim communities.



Our ideas will make it easier for religious weddings to follow the important rules in the law. But some couples will still have just a religious **ceremony**.



Some people might know what they are doing.

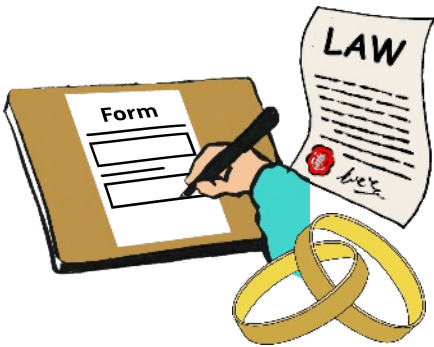


Others might be forced to marry this way or may not know they have no **rights**.



This badly affects women and children if the husband leaves them or dies.

We think it would protect them if:



- a marriage is **legal** if the couple have the interview and fill in the papers before their wedding. And if they are married by someone they know, or at least one of them thinks is an **officiant**



- the wedding will be **legal** for some purposes if the couple followed some of the important rules. Even if the couple does not have the interview or fill in the papers, if at least one of them thinks the person **conducting** the wedding is an **officiant** it will be **legal** for some purposes. This would give the woman and children the same **rights** as a married woman if the man left



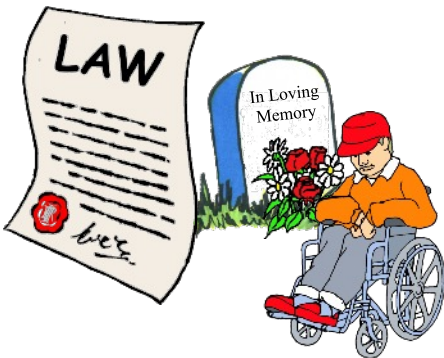
- it is against the law for an **officiant** to not warn the couple their marriage will not be **legal**.



These ideas will not help people who are forced into a religious wedding that breaks all the important rules and does not count for the law.



We think other laws should protect them and other couples who live together but are not married.



We have already told the government we need laws that make sure couples who live together have money and support if one of them dies or leaves the other.

# Emergency powers

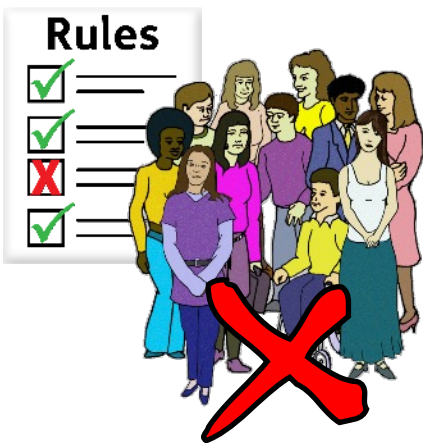
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Many couples did not have the wedding they wanted because of Covid-19.



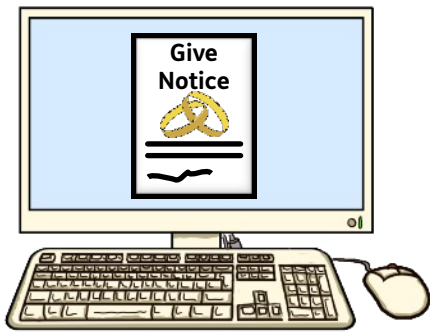
For a long time, no one could get married at all.



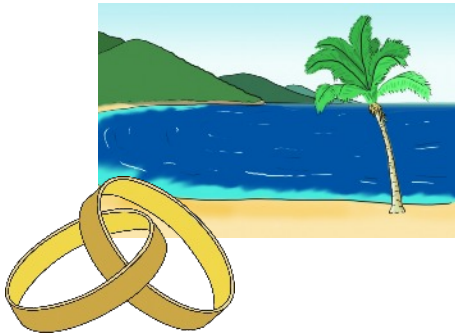
Then rules meant many couples could not invite all their family and friends.



Some of our ideas might make things easier in an emergency like Covid-19.



Couples could start the paperwork **online** even if **register offices** are closed.

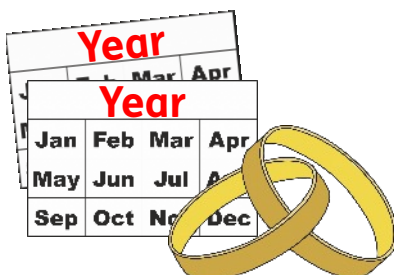


Having weddings outside might also make things safer.



We think the government should make it easier for couples to get married in a national emergency:

- **registrars** could interview the couple **online**
- the **officiant**, couple and **witnesses** could have the wedding **online**
- permission for the couple to marry could last for more than one year.





# What happens next?

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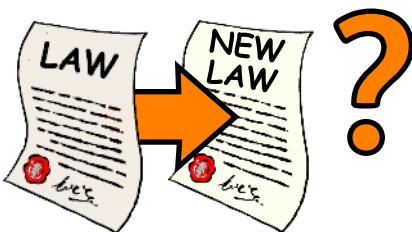
Our ideas would make wedding law simple, fair, and easy to understand.



It would treat everyone equally and protect people from forced or **sham** marriages.



Couples would be able to have the type of wedding they want in a place that is important to them.



The government will look at these ideas and decide whether to change wedding law.

Months			
1	2	3	4
5	6	7	8
9	10	11	12

They will reply within 6 months and tell us what they decide within a year.



If they agree to the changes, they will ask parliament to make them law.

## What the words mean

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**Ceremony** – a set way to celebrate or do something.

**Civil wedding or ceremony** – a wedding that does not include prayers, hymns, or readings to celebrate religious beliefs.

**Conduct** – perform a wedding ceremony, marry the couple.

**Duties** – things you should do as part of your job or who you are. For example, because you are married.

**Legal** – something that keeps to the law.

**Notice** – information saying a couple plan to get married.

**Notification** – telling people something will happen.

**Object** – say you do not agree with something or think it is wrong.

**Officiant** – The person who **conducts** the wedding, or is there to check that the **legal** parts of the wedding happen.

**Online** – using the internet with a computer, tablet, or smartphone.

**Register** – an official book, list or record of dates, events, or other important information.

**Registered** – on a list of people, buildings or organisations who are checked and allowed to do something. For example, conduct weddings.

**Register office** – a council building where you can get married and where they keep records of births, marriages, and deaths for the local area.

**Registrar** – a person who can conduct a civil wedding.

**Responsibilities** – something you must do.

**Rights** – things that should happen for everyone.

**Sham** – a marriage that is false so someone can stay in this country.

**Vows** – important promises the couple make when they marry.

**Witness** – when a person sees something happen and tells other people or signs to say they have seen it.

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Ref ISL176 22. September 2022.

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