

BIRMINGHAM CITY COUNCIL

**REPORT OF THE INTERIM ASSISTANT DIRECTOR OF
REGULATION AND ENFORCEMENT
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

12 FEBRUARY 2020
ALL WARDS

UPDATE ON CIVIL PARTNERSHIPS, MARRIAGES AND DEATHS (REGISTRATION)

1. Summary

- 1.1 The appended briefing note provides an update in relation to Civil Partnerships, Marriages and Deaths (Registration).
- 1.2 The Civil Partnerships, Marriages and Deaths (Registration etc.) Act successfully completed its passage through Parliament on 15 March 2019 and attained Royal Assent on 26 March 2019. The Act will modernise how marriages are registered for the first time since 1837, through the issue of a marriage schedule system and registration in an electronic register. It will move away from the current paper register creating a more secure system for keeping marriage records.

2. Recommendations

- 2.1 That the attached briefing is noted for information.

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Briefing Note

Report To: LPPC

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Date: February 2020

Title: Civil Partnerships, Marriages and Deaths (Registration etc.)

Background Information

1.0 Brief History

- 1.1 The Civil Partnerships, Marriages and Deaths (Registration etc) Act successfully complete its passage through Parliament on 15 March 2019 and attained Royal Assent on 26 March 2019. The Act will modernise how marriages are registered for the first time since 1827, through the issue of a marriage schedule system and registration in an electronic register. It will move away from the current paper register creating a more secure system for keeping marriage records.
- 1.2 Date for implementation has not yet been agreed.

2.0 Key changes to marriage registration

- 2.1 Introduction of a schedule system for marriage in England & Wales
- 2.2 Changes in the marriage entry:-
 - Replacing father with mother/father/parent
 - Allowing up to four mother/father/parent entries for each party, rather than just one entry of natural/step-father
 - Closure of all marriage registers (civil and religious)
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- 2.3 Return of all marriage stock, from Church of England/Authorised Persons/Society of Friends/Marriage Officers to the Local Registration Service.

3.0 Marriage after civil preliminaries

- 3.1 The Superintendent Registrar's Certificates for marriage will be replaced with a single Marriage schedule and an electronic entry on RON (Registration On Line) will be the register.

- 3.2 The legislation only requires two witnesses however there will be the facility to enter up to six witnesses on the schedule and subsequent marriage entry.
- 3.3 The designation of step-father will be replaced with a more generic step-parent for use with either mother or father. There will no longer be a designation for any reference to adoptive mother.
- 3.4 The sex of each party will not be part of the marriage registration, however, the sex of both parties will remain on Notices of Marriage.
- 3.5 Age will be changed to date of birth on the schedule and marriage entry.
- 3.6 The schedule must be returned to the registration district office where the marriage took place by the Bride or Groom, within 21 days of the marriage ceremony, so it can be formally registered.
- 3.7 The Marriage certificate will be issued by the Register Office after the completion of the electronic registration.

4.0 Marriage in Church of England / Church in Wales

- 4.1 The marriage will no longer be registered at the ceremony, instead the clergyman will issue a marriage document which the couple, their witnesses and the clergyman must sign.
- 4.2 The document which must be returned to the registration district office where the marriage took place by the Bride or Groom, within 21 days of the marriage ceremony, so it can be formally registered.
- 4.3 The marriage certificate will be issued by the Register Office after the completion of the electronic registration.

5.0 Marriage Registers - Areas of Change

- 5.1 Currently all marriages are recorded in a manual marriage register, registers will no longer be required.
- 5.2 All marriage registers in Church of England and Wales, all non-conformist churches and civil marriage registers will need to be closed on a date still to be confirmed once the implementation date has been set and deposited with the Register Office.
- 5.3 The entering of all schedules and marriage documents onto RON will fall to the register office.

6.0 Certificates

- 6.1 Certificates can only be issued after the marriage has been entered and locked on to RON.
- 6.2 Marriage Certificates will be issued by the Registration Service and General Register Office only in future.
- 6.3 There will be no provision to allow a local authority to charge a priority fee to complete the registration on RON on the day of the marriage or at point of registration

7.0 Service Impact

- 7.1 It is expected that there will be very little notice of the intended commencement date for the introduction of the marriage scheduling system.
- 7.2 From commencement date Superintendent Registrar's certificate for marriage will no longer be valid and therefore a marriage will not legally be able to take place.
- 7.3 On commencement date all issued authorities for marriage will be null and void, schedules will need to be issued in their place. Where the marriage is due to take place after the commencement date and the authorities have already been collected by the couple, the Register Office will need to arrange for the return of the authority and replace it with a schedule.
- 7.4 From commencement date a programme for the return, closure and archiving of all registers held in the religious buildings will commence. There are 382 religious' buildings in the district of Birmingham.
- 7.5 The deposit of the marriage registers from the religious buildings will use up storage space in the repository. This will impact on future storage space for birth and death registers.
- 7.6 For civil marriages at the Register Office, electronic registration will be completed at the time of the marriage.
- 7.7 For Civil Marriages at Approved Premises electronic registration will be completed at the Register Office within five days of the marriage taking place.
- 7.8 For Religious Marriages, electronic registration will be completed at the Register Office within five days of receipt of the schedule. (Prior to commencement the responsibility for entry onto RON is the General Register Office's.)
- 7.9 The Register Office will have no prior knowledge of any Church of England marriages taking place and therefore will not be able to ensure that the electronic registration takes place.

- 7.10 Resource in terms of time and officers will need to be made available to ensure all marriages are entered onto RON within the required five day time scale to enable to issuing of the marriage certificates.

8.0 Income generation

- 8.1 There would be an increase in the number of first time marriage certificates issued for religious buildings as the certificates will only be obtainable from the local Register Office or the General Register.
- 8.2 The approximate annual number of certificates currently issued by the religious buildings is around 600. $600 \times £11$ (cost of a marriage certificate) = potentially £6600.00 additional income.