

Marriage of Foreign Nationals

The Government has decided to bring in a fundamental change to marriage preliminaries affecting some foreign nationals, with effect from **2 March 2015**.

You may have seen the guidance we have been issuing about this over recent months. If not you can find it here: <http://www.oxford.anglican.org/wp-content/uploads/2014/12/Marriage-of-Non-EEA-Nationals-and-the-Immigration-Act-2014.pdf>.

What this means for couples where one or both parties are non-European Economic Area (non-EEA) nationals is as follows:

They may not:

- Be married in reliance of Banns or Common Licences (which will no longer be available for these cases)
- Be married in church if they do not have a valid Superintendent Registrar's Certificate (SRC). Both parties to a marriage must possess valid SRCs (which will have been printed on blue paper). The certificates state both how long they are valid, and the date by which the marriage must be solemnised.
- Give notice at the relevant Register Office, without first contacting the minister of the church where they wish to marry (to establish whether they have a legal qualifying connection with the parish or church, attend marriage preparation classes (Canon B30) and agree a potential date for their wedding).
- Mix and match marriage preliminaries (*e.g.* a British or EEA national cannot have Banns read, while their non-EEA national fiancé(e) applies for a SRC): they both have to apply for a SRC

But they may:

- Be married in a Church of England church licensed for marriages provided they have obtained a SRC, which will be issued only if:
 - They have a qualifying connection with a parish or church
 - The minister has agreed to the date and other arrangements, and in principle is willing to marry them (but clergy are not obliged to do so and the usual conscientious exceptions re divorce, etc, apply, as do any arrangements re marriage preparation)
 - They have both served 28 days notice (unless the notice period is extended to 70 days)
 - The SRCs have not expired – check the date on the certificates
- Be married by Archbishop's Special Licence if they wish to marry in a school or college chapel, or in a particular parish church where they have a strong link but no legal right to be married. (Apply for a Special Licence in the usual way).

If you need further guidance, please call 01865 297211.

Sara Leader
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