



BRIEFING PAPER

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Mothers' details on marriage certificates

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Inside:

1. Content of marriage certificates: current position
2. Labour Government's proposals for change
3. Calls for change
4. Government position
5. Private Members' Bills in previous Parliamentary sessions
6. Private Members' Bills in current Parliamentary session



Contents

Summary	3
1. Content of marriage certificates: current position	4
1.1 Marriage registration	4
1.2 Details included in the Marriage Register	4
1.3 Civil partnership certificates	4
2. Labour Government's proposals for change	5
3. Calls for change	6
3.1 Petition	6
3.2 EDMs	6
3.3 Westminster Hall debate	6
4. Government position	8
4.1 David Cameron: system should be updated	8
4.2 Westminster Hall debate: Government willing to remedy issue	8
4.3 Parliamentary questions: work ongoing	9
5. Private Members' Bills in previous Parliamentary sessions	10
5.1 2015-16 Parliamentary session	10
5.2 2016-17 Parliamentary session	10
6. Private Members' Bills in current Parliamentary session	11
6.1 Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill 2017-19	11
The Bill	11
Progress of the Bill	11
Second reading debate	12
Public Bill Committee	13
6.2 Registration of Marriage (No.2) Bill 2017-19	15
6.3 Registration of Marriage Bill [HL] 2017-19	15
The Bill	15
Progress of the Bill	16
6.4 Parliamentary questions on the Bills	17

Summary

This briefing paper deals with the law in England and Wales. Different legislation and marriage registration systems apply in Scotland and Northern Ireland.

Current position

In England and Wales, the law requires all marriages to be registered once they have taken place. The system for registering marriages is currently paper-based. The prescribed particulars to be registered for a marriage include details of the father but not the mother of the bride and groom.

There have been calls from both within and outside of Parliament for mothers' details to be included in marriage registration.

Labour Government proposals for change – not implemented

The Labour Government proposed wide-ranging reform of civil registration. This included a proposal to include on the marriage certificate the names and occupations of the father and mother of the bride and groom. However, these proposals were not implemented.

Government willing to address issue

On 18 August 2014, the then Prime Minister, David Cameron, announced the Government's intention to address this issue.

On 8 December 2015, there was a Westminster Hall debate on marriage registration certificates. Richard Harrington, who was then a junior Home Office Minister, confirmed the Government's willingness to remedy the issue. He spoke of the need for a comprehensive solution and not a simple amendment of the current marriage register.

The Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill 2017-19

The [Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) (the Bill) is a Private Member's Bill introduced by Tim Loughton (Conservative), who came fifth in the ballot for Commons Private Members' Bills for the 2017-19 Parliamentary session. [Explanatory Notes](#) were prepared by the Home Office with the consent of Tim Loughton. Information about the Bill is provided on the [Bill page on the Parliament website](#).

The Bill, as amended in Public Bill Committee, has Government and Opposition support.

Report stage in the Commons is scheduled for 26 October 2018.

The Bill would enable the Secretary of State to make regulations with the intention of changing the way in which marriages are registered in England and Wales. There would be a move from a paper-based system to registration in an electronic register. The Bill would enable changes to be made to the register entry and would facilitate inclusion of mothers' details (among other things). The Government considers that this would create a more secure system for the maintenance of marriage records.

This Bill would also deal a number of other matters. Another Library briefing paper provides further information: [Commons Library analysis: Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) (CPB 08217, 24 October 2018).

Other Private Members' Bills

Two other Private Members Bills, in similar terms, have also been introduced in the current Parliamentary session, one in the House of Commons and one in the House of Lords. They would also enable the move to an electronic register and would facilitate the inclusion of mothers' details on marriage certificates.

1. Content of marriage certificates: current position

1.1 Marriage registration

In England and Wales, the law requires all marriages to be registered once they have taken place.

The marriage registration system is currently paper-based. Following the marriage ceremony, the person responsible for registering the marriage, (which may be a registrar, a member of the clergy or a person authorised on behalf of other religious groups) registers the marriage in a marriage register book and hand writes marriage certificates. A marriage certificate is an exact copy of the marriage register entry.

Different legislation and marriage registration systems apply in Scotland and Northern Ireland.

The current system for registering marriages is paper based

1.2 Details included in the Marriage Register

The layout and content of the entry in the marriage register is prescribed by the [Registration of Marriages Regulations 2015](#).¹ It remains the case that the prescribed particulars to be registered for a marriage include details of the father and not the mother of the bride and groom.

Details of the father but not the mother of the bride and groom are included when a marriage is registered

1.3 Civil partnership certificates

Details of both the father's and the mother's name, surname and occupation are included on a civil partnership schedule, as prescribed by the [Civil Partnership \(Registration Provisions\) Regulations 2005](#).²

¹ SI 2015/207, see Form 15

² SI 2005/3176

2. Labour Government's proposals for change

The Labour Government considered modernising civil registration and, in January 2002, published a White Paper, [Civil Registration: Vital Change – Birth, Marriage and Death Registration in the 21st Century](#).³ This set out wide-ranging proposals for reform, among which was a proposal to include on the marriage certificate the names and occupations of the father and mother of the bride and groom.⁴

The consultation which preceded the White Paper included a question asking what information should be recorded in the register and on certificates. The White Paper indicated that the most popular ideas elicited by this question related to marriage entries, with over 30 per cent wanting to see the mother's details, as well as the father's, being included in the entry.⁵

However, these proposals were not implemented. When the White Paper was published, the then Government announced that the legislative changes would be brought about by using the order-making powers in the Regulatory Reform Act 2001. The proposals were to be implemented in two stages: first those relating to the registration of births and deaths and then, subsequently, those relating to marriage. However, both the Parliamentary Committees which considered the proposals relating to registration of births and deaths concluded that they were not appropriate for the Regulatory Reform Order procedure.⁶

In March 2005, Stephen Timms, who was then Financial Secretary to the Treasury, said that, in the light of the Committees' decision, he no longer intended to put forward a draft Regulatory Reform Order to reform marriage law.⁷

A Labour Government proposal to include on a marriage certificate the names and occupations of the father and mother of the bride and groom, as part of more wide-ranging reform of civil registration, did not proceed

³ CM 5355

⁴ CM 5355, [Civil Registration: Vital Change – Birth, Marriage and Death Registration in the 21st Century](#), January 2002, p20

⁵ Ibid p50

⁶ House of Commons Regulatory Reform Committee, [Proposal for the Regulatory Reform \(Registration of Births and Deaths\) \(England and Wales\) Order 2004](#), 20 December 2004, HC 118, House of Lords Delegated Powers and Regulatory Reform Committee, [Proposal for the draft Regulatory Reform \(Registration of Births and Deaths\) \(England and Wales\) Order 2004](#), 14 December 2004, HL 14

⁷ [HC Deb 1 March 2005 c77WS](#)

3. Calls for change

Continued calls have been made for mothers' details to be included in marriage registration.

Calls have been made from both within and outside of Parliament for mothers' details to be included in marriage registration.

3.1 Petition

A petition on the change.org website, [Mothers' names should be on marriage certificates alongside fathers' names](#), attracted 70,439 supporters.⁸

3.2 EDMs

Caroline Lucas tabled Early Day Motions calling for mothers' names to be included on marriage certificates:

- on 18 May 2016 (40 signatures);⁹
- on 14 September 2015 (121 signatures);¹⁰ and
- on 4 June 2014 (115 signatures).¹¹

On each occasion, the signatories included Members from the main parties.

3.3 Westminster Hall debate

On 8 December 2015, there was a Westminster Hall debate on marriage registration certificates.¹²

The Member in charge of the debate was Caroline Spelman (Conservative, Second Church Estates Commissioner). She outlined the practical problems and costs associated with simply changing the format of marriage certificates to include mothers' details:

I understand that the problem lies with the practicalities of the current system of marriage registration, which has not changed since 1837. Marriages are registered in register books, which are held in churches and other religious premises as well as in register offices. There are around 84,000 open register books in more than 30,000 churches and religious buildings. Marriage certificates are simply an exact copy of the marriage register entry, so under the current registration system changing the content of the marriage certificate would mean first changing the content of the register books. In order to do that, all 84,000 books currently in circulation would need to be replaced, at a cost of around £3 million.¹³

Caroline Spelman suggested a new way of registering marriages, similar to that in use for registration of civil partnerships:

If we ended up having to replace the books, few would disagree that it would not be a good use of that sum of money. There is another, more efficient way that marriages could be registered,

⁸ Accessed 23 October 2018

⁹ [EDM 10 of 2016-17](#)

¹⁰ [EDM 446 of 2015-16](#)

¹¹ [EDM 27 of 2014-15](#)

¹² [HC Deb 8 December 2015 cc286-309WH](#)

¹³ [HC Deb 8 December 2015 c286WH](#)

which is to adopt a system very similar to that which already exists in England and Wales for the registration of civil partnerships and which is already in use for the registration of marriages and civil partnerships in Scotland and Northern Ireland.

Under the alternative system, known as the schedule system, marriages are registered in a single electronic register instead of in marriage register books. Changes to the form of the register entry can be made easily without the need to replace all the register books. Instead of signing a register book at the ceremony, the newlyweds sign a document that is then returned to the register office to be entered in the existing electronic register so that a marriage certificate can be issued.

The new schedule system, Caroline Spelman said, would require primary legislation:

Having all marriages registered online would create a central database without the need for any further administrative processes, but changing the way we register marriages requires a change to primary legislation. Depending how this debate goes, it is my intention to introduce a marriage registration Bill...¹⁴

Caroline Spelman set out how an enabling Bill might address the issue of the inclusion of mothers' names and could enable other changes to be made in the future. She recognised, for example, that some families do not have a legally recognised mother and father, but instead have a mother and a second female parent.

Caroline Spelman also spoke of the other "significant benefits" she considered her proposals would have: they would increase the security of marriage registers; reduce the administrative burdens of registering marriages; and generate significant cost savings for central Government, local authorities, and religious groups.

Sarah Champion, then Shadow Home Office Minister, said that the debate had shown "cross-party agreement and support", but added "we need to consider how to make the legislation reflect the intention". She called on the Government to support the initiative.¹⁵

¹⁴ [HC Deb 8 December 2015 c287WH](#)

¹⁵ [HC Deb 8 December 2015 cc303-6WH](#)

4. Government position

4.1 David Cameron: system should be updated

On 18 August 2014, in a speech at the Relationships Alliance Summit, the then Prime Minister, David Cameron, said that it was time the system was updated:

We're going to address another inequality in marriage too. The content of marriage registers in England and Wales has not changed since the beginning of Queen Victoria's reign. At the moment, they require details of the couples' fathers, but not their mothers. This clearly doesn't reflect modern Britain - and it's high time the system was updated.

So I have asked the Home Office is to look at how we can address this too.¹⁶

4.2 Westminster Hall debate: Government willing to remedy issue

Richard Harrington, then a junior Home Office Minister, replied for the Government in the Westminster Hall debate on marriage registration certificates on 8 December 2015. He confirmed the Government's willingness to remedy the issue:

...It is obvious to anyone that it is high time that the system was reformed, and reformed quickly. I do not think there is any dispute about that.

There is no question but that the Government want to see the issue remedied.

Richard Harrington did not think that a simple amendment of the current marriage register was necessarily the way to deal with the issue. (This was the approach proposed by a Private Member's Bill sponsored by Christina Rees in the 2015-16 Parliamentary session.) Mr Harrington spoke of the need for a comprehensive solution. This, he said, would minimise the risks associated with storage of the marriage registers:

We want a comprehensive solution with a framework for the modern digital economy, where—we hope everything will be transformed in this way—people will get a certificate quickly with all the relevant details and where there will be no need for replacement certificate stock to be sent to thousands of different churches and other institutions.

Also, the solution should minimise the public protection risk of marriage registers being held in some 30,000 different religious buildings. Every year criminal gangs steal registers and certificate stock for all sorts of different purposes, and it is time that the system was modernised for once and for all. It would cost up to £3 million simply to replace the materials. A simple solution of just filling in the empty box was suggested, but that would lead to all

The Government has stated its willingness to reform the system of marriage registration comprehensively and to enable mothers' details to be included on marriage certificates

¹⁶ Gov.UK, [David Cameron on families](#), speech delivered on 18 August 2014 [accessed 23 October 2018]

sorts of mistakes and inaccuracies. While the suggestion is perfectly well-intentioned, I do not think it is very practical.

Richard Harrington went on to indicate the cost implications of changing the system of registration:

As the shadow Minister mentioned, we have to make the necessary IT changes with the correct resources. It is not a question of trying to save money with the new system, although once it was set up, it would probably save a lot of money and be much more efficient over the decades. Costs would be incurred. It is not just about making the system more cost-effective, although it will be over the longer term.

Richard Harrington said that officials at the Home Office were working with key stakeholders to ensure that the needs of all different types of family were met. He asked for patience:

The serious point to make is that the Government are not simply playing with the issue in order to kick it into the long grass and say, "Well, it is one of those things." It is very serious. It is absolutely absurd that the law has not been changed before. It is absurd, whether under a Conservative, coalition or Labour Government, that it has taken from the 1830s to today to even look at the matter...¹⁷

4.3 Parliamentary questions: work ongoing

Subsequent written answers to Parliamentary Questions indicated that work on changing marriage certificates was ongoing.¹⁸

In December 2017, the then Home Office Minister, Brandon Lewis, said:

The Home Office continues to work with all interested parties to develop the options that will allow mothers' names to be recorded on marriage certificates as soon as practicable.

As soon as there is an opportunity to legislate a timetable for implementation will be made available.¹⁹

¹⁷ [HC Deb 8 December 2015 cc306-309WH](#)

¹⁸ See, for example, [PQ 37570 \[on Marriage certificates\], 25 May 2016](#)

¹⁹ [PQ 117941 \[on Marriage Certificates\], 11 December 2017](#)

5. Private Members' Bills in previous Parliamentary sessions

5.1 2015-16 Parliamentary session

Two Private Members' Bills introduced in the 2015-16 Parliamentary session would have dealt with the issue in different ways:

- the [Marriage and Civil Partnership Registration \(Mothers' Names\) Bill 2015-16](#) was presented to Parliament by Christina Rees on 4 November 2015;²⁰
- the [Marriage Registration Bill 2015-16](#) was presented to Parliament by Caroline Spelman on 17 December 2015.²¹

Neither Bill made any further progress.

5.2 2016-17 Parliamentary session

Edward Argar presented the [Registration of Marriage Bill 2016-17](#) to Parliament on 29 June 2016.²² [Explanatory Notes](#), prepared by the Home Office, were published with the consent of Edward Argar.

The Bill had its second reading, without debate, on 13 January 2017.²³ It was committed to a Public Bill Committee but made no further Parliamentary progress.

²⁰ [HC Deb 4 November 2015 c995](#)

²¹ [HC Deb 17 December 2015 c1751](#)

²² [HC Deb 29 June 2016 c342](#)

²³ [HC Deb 13 January 2017 c652](#)

6. Private Members' Bills in current Parliamentary session

Summary

Three Private Members Bills have been introduced in the current Parliamentary session, two in the House of Commons and one in the House of Lords. Each is intended to reform how marriages are registered and would facilitate the inclusion of mothers' details on marriage certificates (among other things). The Bills are in similar terms to one another.

6.1 Civil Partnerships, Marriages and Deaths (Registration Etc.) Bill 2017-19

The Bill

The [Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) (the Bill) is a Private Member's Bill introduced by Tim Loughton (Conservative), who came fifth in the ballot for Commons Private Members' Bills for the 2017-19 Parliamentary session. [Explanatory Notes](#) were prepared by the Home Office with the consent of Tim Loughton.

Most of Bill would extend to England and Wales. Clauses 5 (Supplementary provision about regulations) and 6 (Extent, commencement and short title) would extend to England and Wales, Scotland and Northern Ireland. Tim Loughton has said that although consequential amendments might be made to UK-wide legislation, the substantive changes to the law would relate to England and Wales only.

Information about the Bill is provided on the [Bill page on the Parliament website](#).

At Second Reading, junior Home Office Minister, Victoria Atkins, spoke of the Government's support for the Bill, subject to it being amended in Committee.²⁴

Shadow Home Office Minister, Karen Lee, said "Labour Members fully support this Bill".²⁵

Clause 1 of the Bill would deal with marriage registration. The Bill would also deal with a number of other matters. Another Library briefing paper provides further information:

[Commons Library analysis: Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) (CPB 08217, 24 October 2018).

Progress of the Bill

The Bill was published on 31 January 2018 as Bill 11 of 2017-19, had its [Second Reading](#) on 2 February 2018, and [Public Bill Committee stage](#) (in

²⁴ [HC Deb 2 February 2018 c1120](#)

²⁵ [HC Deb 2 February 2018 c1115](#)

one sitting) on 18 July 2018. The Bill as amended in Public Bill Committee has been published as [Bill 254 of 2017-19](#).

Report stage in the Commons is scheduled for 26 October 2018.

Second reading debate

In response to a question from the junior Home Office Minister, Victoria Atkins, Tim Loughton confirmed that Clause 1 was a “marker clause” which would be “replaced and elaborated on in Committee, as agreed with Ministers”.²⁶ He also said that it was “highly likely” that the long title of the Bill would need to be amended in Committee, “particularly to reflect the change that will be required to the electronic record of marriage certificates”.²⁷

Tim Loughton spoke of introducing an electronic register, to replace hard copy books, and of the benefits this would bring:

That would avoid the potentially costly need to replace all the register books. Instead of signing a book at the ceremony, the newly married couple would sign a document that would then be returned to the register office to be entered in the existing electronic register so that an official marriage certificate could be issued, including the names of all the parents. The measure could also take account of new family structures... There would be two spaces for the signatures of each of the partners in the marriage, or, indeed, civil partnership. That innovation was actually made when civil partnerships were introduced in 2004, but, bizarrely, it does not apply to marriages. Both parents would be included, be they biological mother and father, same-sex parents of whom one might be a biological parent, or adoptive parents.²⁸

Tim Loughton said that, with the measure of support previously expressed, it was “nonsensical that this simple measure has not already come to pass”.

Victoria Atkins spoke of the Government’s support for the Bill, subject to it being amended in Committee:

The long title of the Bill refers to only mothers being added to certificates. We need to ensure that when the marriage entry is updated it allows for all the different family circumstances in society today—for example, same-sex parents. ... We need to make sure that we have a system in place that enables the marriage register to be capable of adapting.²⁹

Victoria Atkins said that it was intended that Clause 1 would be replaced by provisions in another Private Member’s Bill before the House,³⁰ the Registration of Marriage (No. 2) Bill:

I thank my hon. Friend the Member for East Worthing and Shoreham for agreeing to amend clause 1 of his Bill in Committee to insert the provisions of the Registration of Marriage (No. 2) Bill in its place. That important Bill is the long-standing work of my right hon. Friend the Member for Meriden (Dame Caroline Spelman), who has been battling for years to have this anomaly in

²⁶ [HC Deb 2 February 2018 c1105](#)

²⁷ [HC Deb 2 February 2018 c1097](#)

²⁸ [HC Deb 2 February 2018 c1105](#)

²⁹ [HC Deb 2 February 2018 c1120-2](#)

³⁰ See section 6.2 of this briefing paper

our marriage ceremony and celebrations corrected. I place on record my thanks for her commitment to ensuring that the marriage certificate reflects the important role of both parents.

When the Registration of Marriage (No. 2) Bill is added to this Bill, the provisions will form the way in which marriages are registered in England and Wales, moving from a paper-based system to registration on an electronic register. ...³¹

She said that moving to a schedule system of registration would “introduce savings of about £33.8 million over 10 years”.

Ms Atkins confirmed that the Government wanted to work constructively with Tim Loughton.

Public Bill Committee

Tim Loughton moved **New Clause 2**, Marriage registration, which was in his name and that of Victoria Atkins.³² The Member’s explanatory statement was:

This new clause allows the Secretary of State to introduce a central, electronic system of marriage registration in England and Wales.

New Clause 2 was considered with the question of whether Clause 1 should stand part of the Bill, and with **Amendment 12** which was also in the names of Tim Loughton and Victoria Atkins.

Tim Loughton said that New Clause 2 was an enabling clause and would replace Clause 1 in the Bill as introduced. He set out information about the new provision, including the limitations on the order making power:

New clause 2 seeks to remove the marker provision that is the current clause 1 and replace it with the provisions in new clause 2 of the Registration of Marriage (No. 2) Bill ... In addition, the amendments aim to improve those provisions by limiting the scope of delegated powers in the Bill. For example, any regulations made by the Secretary of State under clause 1(1) will now be limited to amending the Marriage Act 1949. The regulations that amend that Act would be subject to the affirmative procedure and require the approval of both Houses of Parliament, providing ample parliamentary oversight.

Subsection (6) of the new clause inserts a sunset clause that limits the use of the power of the Secretary of State to amend primary legislation to a period of three years beginning on the day on which the regulations are first made. I know that this point—that it could be an open-ended power—has been a bone of some contention, and has hampered the progress of similar private Members’ Bills and legislation in the past. By inserting this sunset clause, and specifically limiting the power to the Marriage Act 1949, the Bill has a very clear intent.³³

New Clause 2 is intended to reform how marriages are registered and would enable the names of the mothers of the couple to be included. There would be a new system of registration:

³¹ [HC Deb 2 February 2018 c1123](#)

³² [PBC Deb 18 July 2018 c4](#)

³³ [PBC Deb 18 July 2018 c6](#)

The new clause aims to introduce a schedule-based system, replacing the current paper registers. That is the most cost-effective way to introduce the change. With the introduction of a schedule system, all civil and religious marriages will be held in a single electronic register, rather than in more than 80,000 paper register books scattered around churches and religious institutions up and down the country. It will make the system more secure and efficient, and it will make it simpler to amend the content of the marriage entry, both now and in the future. The new clause enables the Secretary of State to make the required changes to the Marriage Act by regulations, and to move a schedule-based system for registering marriages. The regulations would change the current procedures in part III of the Marriage Act—Marriage under Superintendent Registrar’s Certificate—to provide that a marriage can be solemnized on the authority of a single schedule for the couple instead of two superintendent registrar’s certificates of marriage, one for each of the couple, which is currently the case.³⁴

The regulations would also deal with marriages in the Church of England and Church in Wales:

The regulations would also provide for a member of the clergy to issue the equivalent of a marriage schedule, which is a marriage document, for marriages that have been preceded by ecclesiastical preliminaries, for example the calling of the banns or the granting of a common licence. Once a marriage ceremony has taken place, the signed marriage schedule or marriage document will be returned to the local registry office for entry in the electronic register.³⁵

Tim Loughton set out the proposed registration procedure:

Where a registrar is present at a marriage ceremony, the signed schedule will be retained by the registrar for entry in the electronic register. In all other cases, it will be the responsibility of the couple to ensure that the marriage schedule is returned to the registry office. However, they will be able to ask a representative to take it for them, or they could send it by post...

If a signed marriage schedule or marriage document is not returned within the specified timescale, and after reminders have been sent, the person commits an offence in accordance with subsection (3) of the new clause. My understanding is that in Scotland there are no issues with signed documents not being returned to the registry office. Once the marriage is registered in the electronic register, the couple will be able to have a copy of their marriage certificate.

The Registrar General would have power to make regulations under section 74(1) of the Marriage Act 1949 to prescribe the content of a marriage schedule or document, to make provision to reissue or correct the information contained in the marriage schedule or document prior to the marriage taking place, and to make provision for the keeping and maintenance of the existing paper registers.³⁶

Dame Caroline Spelman confirmed the position of the Church, for the avoidance of doubt:

³⁴ [PBC Deb 18 July 2018 c6](#)

³⁵ [PBC Deb 18 July 2018 cc6-7](#)

³⁶ [PBC Deb 18 July 2018 c7](#)

...I make it clear to the Committee that the Church of England consulted on the matter some time ago, and is fully in favour of these practical and equitable changes, which deal with a difficult pastoral situation. At the moment, the clergy often have to break the bad news to a mother that she cannot put her name on the marriage certificate at the ceremony, which causes great distress. The Church of England would like to see this change achieved.³⁷

Victoria Atkins confirmed the Government's support:

It is important that an adaptable system is in place. In making these changes, we must ensure that they allow for all the different family circumstances in society, including, for example, same-sex parents. It is a much-wanted and much-needed change in the law, and I am pleased to confirm the Government's support for it.³⁸

There were no objections to New Clause 2 which was therefore added to the Bill (now **Clause 1** in the Bill as amended in Public Bill Committee). The previous Clause 1 was removed from the Bill.

The long title of the Bill as introduced included these words: "to make provision about the registration of the names of the mother of each party to a marriage or civil partnership". **Amendment 12**, which was agreed without vote, amended this to "make provision about the registration of marriage".

6.2 Registration of Marriage (No.2) Bill 2017-19

The [Registration of Marriage \(No.2\) Bill 2017-19](#) (the No 2 Bill) was introduced to Parliament by Dame Caroline Spelman on 14 November 2017.³⁹ It is listed for second reading on 23 November 2018.

Information about the No 2 Bill is provided on the [Bill page on the Parliament website](#). [Explanatory Notes](#), prepared by the Home Office, have been published with the consent of Dame Caroline Spelman.

The No 2 Bill is in the same terms as the Private Member's Bill introduced by Edward Argar in the 2016-17 Parliamentary session.

The Explanatory Notes set out an overview of the purpose of the No 2 Bill, which includes moving to an electronic register and facilitating the inclusion of mothers' details on marriage certificates.⁴⁰

6.3 Registration of Marriage Bill [HL] 2017-19

The Bill

Another Private Member's Bill, the [Registration of Marriage Bill \[HL\] 2017-19](#) (the Lords Bill), was introduced in the House of Lords on 29 June 2017 by the Lord Bishop of St Albans.⁴¹

³⁷ [PBC Deb 18 July 2018 c7](#)

³⁸ [PBC Deb 18 July 2018 c9](#)

³⁹ Bill 124 of 2017-19

⁴⁰ [Bill 124-EN paragraph 1](#)

⁴¹ HL Bill 19 of 2017-19

As introduced, this Bill was also in the same form as the Private Member's Bill introduced by Edward Argar in the 2016-17 Parliamentary session.

Information about the Lords Bill is provided on the [Bill page on the Parliament website](#), and in a Lords Library Note, [Registration of Marriage Bill \[HL\]: Briefing for Lords Stages](#).⁴²

[Explanatory Notes](#) have also been published with this introduction:

These Explanatory Notes were originally drafted by the Home Office and published on 29 June 2016 when the Bill was introduced in the House of Commons. These Notes have been updated and republished with the consent of the Bishop of St Albans, the member in charge of the Bill, in order to assist the reader of the Bill and to help inform debate on it....

Progress of the Bill

[Second Reading](#) of the Lords Bill took place on 26 January 2018.⁴³ The Bishop of St Albans said that it would allow mothers' names to be included when registering all marriages, not just those taking place in Church of England churches. Like the No 2 Bill, it would enable the introduction of a "schedule" system of registration similar to that in use for civil partnerships.

The Bishop drew attention to the "identical Bill" introduced in the House of Commons by Dame Caroline Spelman and said, "We are hoping that between us appropriate time will be given so that this change can be made".⁴⁴ He said that the Church welcomed the proposed change and had been working for many years with the Home Office and General Register Office "on the finer points of its implementation". Feedback had also been sought from the Dean of the Arches, archdeacons and diocesan registrars.

Cross party support was given in the debate.

Home Office Minister, Baroness Williams of Trafford, replied for the Government. She said that "This is a very important issue that the Government fully support" and confirmed that moving to a schedule system would be the most cost-effective way to bring about the change.⁴⁵

[Committee stage](#) was on 29 June 2018, when the Lords Bill was amended.⁴⁶ These amendments are now reflected in [Civil Partnerships, Marriages and Deaths \(Registration Etc.\) Bill](#) (as amended). In Public Bill Committee of that Bill, Dame Caroline Spelman said:

The amendments that my hon. Friend [Tim Loughton] referred to are the amendments that the Bishop of St Albans tabled to the identical Bill in the Lords, which is about to return to our House.⁴⁷

⁴² LLN-2018-0008, 19 January 2018

⁴³ [HL Deb 26 January 2018 cc1233-50](#)

⁴⁴ [HL Deb 26 January 2018 c1233](#)

⁴⁵ [HL Deb 26 January 2018 c1245-6](#)

⁴⁶ [HL Deb 29 June cc337-346](#)

⁴⁷ [PBC Deb 18 July 2018 c7](#)

There was no debate at Report stage on 17 July 2018, or at Third Reading on 24 July 2018.

The Lords Bill was introduced in the House of Commons on 4 September 2018, sponsored by Dame Caroline Spelman, and is scheduled to have its Second Reading debate on 26 October 2018.

6.4 Parliamentary questions on the Bills

On 7 December 2017, Dame Caroline Spelman, as Second Church Estates Commissioner, answered oral Parliamentary Questions.⁴⁸ She referred to the Registration of Marriage Bill [HL] 2017-19 as being “identical” to her own Bill. Dame Caroline added: “I am not precious about which Bill gets to the finishing line first—we just need to do it”.

Dame Caroline also spoke of cross party support for reform on this issue and said that the Prime Minister also recognised the need to legislate.

In answer to a question from Tim Loughton, who asked whether the Church of England would support his Bill, Dame Caroline replied that she had “rolled [her] Bill” beyond the date for the consideration of Tim Loughton’s Bill “to give him an opportunity to make progress”.

Dame Caroline reiterated the Church’s support for reforming the marriage registration process:

I would like to clear up any possible misunderstanding that the Church is in any way against making this change: the reverse is true. The Church has consulted on changing the marriage registration process. It will save money through the practical reality of moving to an electronic register. The General Register Office is in favour of making the change, and there is cross-party and institutional support—let us just get it done.

⁴⁸ [HC Deb 7 December 2017 cc1198-1201](#)

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