



## BRIEFING PAPER

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# Marriage venues

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# Summary

## England and Wales

### **Where can a marriage take place?**

In England and Wales, marriage must normally take place in a register office; approved premises; a building of the Church of England or the Church in Wales; a building that has been registered for the purposes of religious marriage other than in the Church of England or Church in Wales; or a naval, military or air force chapel. There are various conditions surrounding the couple's choice of venue.

### **Labour Government proposals for change**

Proposals by the Labour Government to give couples a greater choice of where to marry, as part of a more general reform of civil registration, did not proceed.

### **Coalition Government consultation on humanist marriage ceremonies**

In 2014, the Coalition Government consulted on whether the law should be changed to permit legally valid non-religious belief marriage ceremonies (such as humanist marriage ceremonies), alongside religious and civil ceremonies. The consultation asked for views on a number of issues, including where such belief marriages, if allowed, should be permitted to take place.

The majority of respondents to the consultation were in favour of changing the law to allow legally valid non-religious belief marriage ceremonies to take place, in unrestricted locations.

However, the Coalition Government considered that a number of complex issues had been raised which had implications for marriage solemnization more broadly. For example, the Government was aware that allowing only non-religious belief marriages to take place in unrestricted locations might be seen as unfair.

### **Law Commission review**

In December 2014, the Coalition Government asked the Law Commission to conduct a review of the law governing how and where people can marry in England and Wales. The Law Commission agreed to carry out an initial scoping review of marriage law.

In December 2015, the Law Commission published a scoping paper and concluded that the law governing how and where couples in England and Wales can marry "is badly in need of reform". The Commission considered that it would not be appropriate to legislate solely for non-religious belief organisations, as this would create further anomalies.

With regard to the location of marriage ceremonies, the Law Commission noted the demand for marriages to be conducted in a wider range of locations, including outdoors and at home. The Law Commission considered that providing for a wider range of venues for marriage would allow the location of the wedding to be "both cheap and personal".

In the October 2018 Budget, the Government announced that, in connection with promoting greater choice of wedding venues, it had asked the Law Commission to propose options for "a simpler and fairer system to give modern couples meaningful choice".

On 28 June 2019, the Government launched a Law Commission review of the law governing how and where marriage can take place in England and Wales. The review will

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seek to provide recommendations for a reformed law of weddings that allows for greater choice within a simple, fair, and consistent legal structure.

The Government said that the review “could open up opportunities for civil ceremonies at sea, in private homes or military sites for service personnel”.

The Law Commission intends to conduct a public consultation and expects that the detailed review, including a final report, will last two years.

### **Possible interim reform**

Separately, the Government is exploring what can be done to deliver interim reform, by way of secondary legislation subject to any necessary consultation, to allow outdoor locations for civil weddings and civil partnership ceremonies.

### **Scotland**

In Scotland there is a wider choice of venues for marriage. Marriage can generally take place anywhere agreed with the celebrant. Scottish law also provides for the solemnisation of non-religious belief marriages.

# 1. Where can a marriage take place in England and Wales?

The [Marriage Act 1949](#) (as amended) sets out the procedure and premises where a marriage may take place. It provides for:

- civil marriage;
- marriage according to the rites and ceremonies of the Church of England and the Church in Wales;<sup>1</sup>
- marriage according to Jewish and Quaker (the Society of Friends) customs;
- marriage according to all other religious rites (eg Roman Catholic, Methodist, Muslim), in a place of worship that has been registered for the purpose.

The regulation of marriage is based largely on the building in which the relevant marriage takes place. Marriage must normally take place at one of the following venues:

- register office;
- approved premises, such as an hotel – that is, a building that has been approved for the purposes of civil marriage by the local authority of the area in which the building is situated;<sup>2</sup>
- a building of the Church of England or the Church in Wales;
- a registered building - that is, a building that has been certified as a place of worship and also registered for the purpose of religious marriage (other than in the Church of England or Church in Wales);
- naval, military and air force chapels.

There are some exceptions including:

- due mainly to historical reasons, those marrying according to the rites and ceremonies of the Jews or Society of Friends may marry anywhere, including outdoors;
- marriage can sometimes take place at the residence of someone who is housebound, detained or terminally ill.

There are various conditions surrounding the couple's choice of venue.

The [Marriage \(Same Sex Couples\) Act 2013](#) amended the Marriage Act 1949 to provide for same sex couples to be married in either a civil ceremony or a religious ceremony (other than in accordance with the rites and ceremonies of the Church of England or

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<sup>1</sup> The Church in Wales is a member church of the Anglican Communion. Section 78(2) of the Marriage Act 1949 provides that any reference in that Act to the Church of England shall, unless the context otherwise requires, be construed as including a reference to the Church in Wales, and the same approach is adopted in this briefing paper

<sup>2</sup> In accordance with the Marriages and Civil Partnerships (Approved Premises) Regulations 2005, as amended

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Church in Wales) where the religious organisation has opted in to conduct marriage of same sex couples.



## 2. Civil marriage

### 2.1 Venues for civil marriage

A civil marriage ceremony may take place at a register office or at any venue approved by the local council, for example a stately home or hotel. Gov.UK has:

- a [list of premises that have been approved for civil marriages and civil partnerships in England and Wales](#); and
- [Guidance on registering a venue for civil marriage and civil partnership](#), issued by the Registrar General for England and Wales.

Religious premises, meaning premises which are used solely or mainly for religious purposes, or which have been so used and have not subsequently been used solely or mainly for other purposes, may not be approved for civil marriage.<sup>3</sup>

### 2.2 Civil ceremony must not include religious content

The Marriage Act 1949 provides that no religious service shall be used at any marriage solemnized in the office of a superintendent registrar.<sup>4</sup>

Similarly, regulations provide that it must be a condition of approval of premises for civil marriage that marriages conducted there must not include anything that is religious:

- (1) Any proceedings conducted on approved premises shall not be religious in nature.
- (2) In particular, the proceedings shall not—
  - (a) include extracts from an authorised religious marriage service or from sacred religious texts;
  - (b) be led by a minister of religion or other religious leader;
  - (c) involve a religious ritual or series of rituals;
  - (d) include hymns or other religious chants; or,
  - (e) include any form of worship.
- (3) But the proceedings may include readings, songs, or music that contain an incidental reference to a god or deity in an essentially non-religious context.
- (4) For this purpose any material used by way of introduction to, in any interval between parts of, or by way of conclusion to the proceedings shall be treated as forming part of the proceedings.<sup>5</sup>

A couple may have a religious blessing of their marriage after a civil ceremony.

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<sup>3</sup> As defined by section 6A(3C) of the Civil Partnership Act 2004

<sup>4</sup> Section 45(2)

<sup>5</sup> Marriages and Civil Partnerships (Approved Premises) Regulations 2005/3168, Regulation 6(1) and Schedule 2, paragraph 11. See also, Gov.UK, [Get married or form a civil partnership in England or Wales: step by step, Plan your ceremony](#) [accessed 3 March 2020]

## 3. Religious marriage

### 3.1 Marriage in the Church of England

#### Right to marry

The general position is that the clergy of the Church of England are under a common law duty to marry a parishioner in their parish church or in the church of a parish with which they have a qualifying connection.

However, is not legally possible for same sex couples to marry in the Church of England. In addition, in some circumstances, members of the clergy may refuse to solemnize a marriage; for example, they may refuse to marry any person whose former marriage has been dissolved if the former spouse is still living;<sup>6</sup> or any person whose acquired gender has been legally recognised under the Gender Recognition Act 2004.<sup>7</sup>

#### Marriage ceremony

Only a marriage according to the rites and ceremonies of the Church of England may take place in an Anglican church, unless the church is the subject of a Sharing Agreement:

Only marriages according to the rites of the Church of England can be solemnised in Church of England churches and chapels, although this is subject to exception in the case of an agreement under the Sharing of Church Buildings Act 1969. If, on the basis of a Sharing Agreement, a Church of England church or chapel is then registered under the Registration of Places of Worship Act 1855 as a place of worship of another denomination, it can be used for the solemnisation of marriages that are according to the rites of that denomination.<sup>8</sup>

The Church of England may grant permission for a minister of another Christian church to assist in the solemnisation of a marriage.<sup>9</sup> However, certain aspects of the ceremony must be performed by the Church of England minister:

Where a minister of another Christian Church is invited to assist at the Solemnization of Matrimony, the permissions and procedures set out in Canon B 43 are to be followed. The Church of England minister who solemnizes the marriage must establish the absence of impediment, direct the exchange of vows, declare the existence of the marriage, say the final blessing, and sign the registers. A minister invited to assist may say all or part of the opening address, lead the declarations of intent, supervise the exchange of rings, and join in the blessing of the marriage. He or she may also read a lesson and lead all or part of the prayers. Where the couple come from different Christian communions the bishop may authorize such variations to the marriage service as are set out in

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<sup>6</sup> Matrimonial Causes Act 1965, section 8(2)

<sup>7</sup> Marriage Act 1949, section 5B

<sup>8</sup> [Code of Practice on Co-operation by the Church of England with Other Churches issued by the House of Bishops under section 5B of the Church of England \(Ecumenical Relations\) Measure 1988](#), February 2019, paragraph 157

<sup>9</sup> [Church of England, Canons of the Church of England, 29 July 2016, 7th edition, section B43](#)



An Order for the Marriage of Christians from Different Churches, which is published separately.<sup>10</sup>

The Church of England Diocese of Norwich has published the following FAQs confirming the position:

**Q: Can I have a Roman Catholic (or other non-Anglican) wedding in an Anglican church?**

A: No. A Roman Catholic wedding in England must be preceded by civil preliminaries, and must take place in a registered building. An Anglican church is not a 'registered building' for this purpose.

**Q: Can a Roman Catholic (or other non-Anglican) be married in an Anglican church, even if it is not possible to have a Roman Catholic (or other) wedding service?**

A: Yes. People of any faith can be married in an Anglican church, provided that the Anglican form of marriage service is used. An Anglican priest must conduct the service. For the marriage to be legally valid, there are certain parts of the Anglican marriage service which an Anglican priest must say, including the final blessing, but a clergyman of another denomination may assist with other parts of the service, for example, an address or prayers. There is a detailed discussion of this question in Legal Opinions Concerning the Church of England, 8th Ed. 2007 on pages 365-366.<sup>11</sup>

## 3.2 Marriage in accordance with the rites of other religions

### Religious marriage in a registered building

To be legally valid, a religious marriage (other than marriage according to the rites and ceremonies of the Church of England and the Church in Wales, and Jewish and Quaker marriage) must generally take place in a registered building. This means that the building must have been certified for religious worship and registered for the purposes of marriage.

The Places of Worship Registration Act 1855 provides for places of religious worship to be certified by the Registrar General. A building has to be certified as a place of religious worship before it can be registered for marriages by the Registrar General under the Marriage Act 1949.

One year after a building has been registered for the solemnisation of marriages, the trustees or governing body can appoint an "authorised person" to register marriages in the building's own set of marriage registers. Authorised persons are usually members of the religious community. Further information is provided on the [Gov.UK website](#).<sup>12</sup>

Different religions have their own rules about who is eligible to marry in accordance with their rites.

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<sup>10</sup> Church of England, [Marriage, Notes to the Marriage Service, paragraph 13. Ecumenical Provisions](#) [accessed 3 March 2020]

<sup>11</sup> Church of England Diocese of Norwich, [Marriage Frequently asked questions](#) [accessed 3 March 2020]

<sup>12</sup> Gov.UK, [Places of religious worship and the solemnisation of marriages](#), [accessed 3 March 2020]

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There is no need to undergo a separate civil ceremony when the marriage is conducted in a place of worship registered under the 1949 Act.

### **Marriage not in a registered building**

Those who wish to celebrate their marriage in a place of worship, or elsewhere, that has not been registered for marriage must go through an additional civil ceremony in order to be legally married.

## 4. The Labour Government's proposals for change

### 4.1 Regulation to be based on celebrant and not on building

The Labour Government proposed that couples would be given a greater choice of where to marry, as part of a more general reform of civil registration.

A Consultation Paper published in 1999, *Registration: Modernising a vital service*, posed the question, "Should people be able to marry anywhere?". Responses to this question indicated that people wanted freedom to marry in places other than those currently approved for marriages:

There were 373 responses to this question. The majority of respondents (83 per cent) thought that people should either be able to get married anywhere or, more popularly, that a greater choice of venues should be provided.

The main arguments against marriage anywhere were the need to consider health and safety, accessibility for the public and the need to maintain the solemnity of the ceremony. The most popular suggestions for retaining some control were for the introduction of one-off licences or introducing approved celebrants in line with the Scottish system...<sup>13</sup>

A White Paper, [Civil Registration: Vital Change](#), published in January 2002, proposed that regulation of marriage would be based on the celebrant (the person responsible for the solemnisation of the marriage) rather than on the building in which the marriage takes place. National standards for civil ceremonies were to set out the criteria to be met in order to ensure that the solemnity and dignity of the occasion were safeguarded:

3.16. The Government intends to introduce a system based on the appointment of celebrants who would be responsible for the solemnisation of either religious or civil marriages. Such a system already works in other parts of the world including Scotland, New Zealand and parts of Australia (see Annex B for more information). ...

3.17. The place and time of marriage will become a matter for negotiation between the celebrant and the parties to the marriage. This is already an option for those professing the Jewish religion or those belonging to the Religious Society of Friends (Quakers), who, for historical reasons, have always been exempt from the restrictions on place and time of marriage. National standards for civil ceremonies will set out the criteria to be met in order to ensure that the solemnity and dignity of the occasion are not compromised.

The White Paper outlined how celebrants would be appointed and proposed that there would be no restriction in registration legislation on

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<sup>13</sup> CM5355, [Civil Registration: Vital Change – Birth, Marriage and Death Registration in the 21<sup>st</sup> Century](#), January 2002, p48

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where marriages could be celebrated. The distinction between religious and civil marriage was to be maintained:

3.18. Religious celebrants will be appointed by the religious groups to which they belong and notified to the Registrar General. The local registration service provider will appoint civil celebrants, who initially will be employees of the local service provider. The local service provider will be expected to offer a choice of venues and time. There will be no restriction in registration legislation on where civil or religious celebrants can celebrate marriages, provided the distinction between civil and religious ceremonies remains. This will give more choice for couples and introduce an element of competition that does not currently exist. The Government believes this will encourage an improvement in standards across the country.

(...)

3.20. The Church of England, Church in Wales and the other main religious denominations will regulate themselves in terms of appointing religious celebrants. The Registrar General will require to be notified of their appointment. For other less known or new denominations, the Registrar General will wish first to establish whether the criteria for recognition as a religious body are met before approving the appointment of religious celebrants.<sup>14</sup>

The Labour Government considered that the proposed new system would be more flexible than the current system:

3.21. The Government believes that the celebrant based system is more flexible and responsive to the couples needs and circumstances. It also brings considerable administrative simplicity in line with the Government's commitment to deregulation and modernisation, but provides appropriate safeguards for this important change in individuals' legal status.

## 4.2 Proposals not implemented

The Labour Government originally intended that legislative changes to civil registration 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.<sup>15</sup> In March 2005, the Government announced that, in the light of the Committees' decision, they no longer intended to put forward a draft Regulatory Reform Order to reform marriage law.<sup>16</sup>

In November 2005, the General Register Office published a consultation document, [Registration Modernisation](#), which set out how it was

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<sup>14</sup> CM5355, [Civil Registration: Vital Change – Birth, Marriage and Death Registration in the 21st Century](#), January 2002 p21

<sup>15</sup> 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, and 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

<sup>16</sup> [HC Deb 1 March 2005 c77WS](#)

proposed to take forward the modernisation of civil registration. This stated that primary legislation would be needed to enact the proposals to extend the choice of marriage venues available to couples.<sup>17</sup>

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<sup>17</sup> At p7

## 5. Law Commission project on weddings

### 5.1 Background

#### Humanist marriage ceremonies

At present, humanist marriage ceremonies do not have legal force and the parties must have an additional ceremony (for example, at a register office) for the marriage to be legally valid.<sup>18</sup>

#### Coalition Government consultation

As required by [section 14 of the Marriage \(Same Sex Couples\) Act 2013](#), the Coalition Government consulted on whether the law should be changed to permit legally valid non-religious belief marriage ceremonies, alongside religious and civil ceremonies.<sup>19</sup> The consultation ran from 26 June 2014 to 18 September 2014. It asked for views on a number of issues, including where such belief marriages, if allowed, should be permitted to take place.

#### Coalition Government response

On 18 December 2014, the Coalition Government published its [response](#) to the consultation paper.<sup>20</sup> This stated that the majority of respondents to the consultation were in favour of changing the law to allow legally valid non-religious belief marriage ceremonies to take place, in unrestricted locations.

However, the Coalition Government considered that a number of complex issues had been raised which had implications for marriage solemnization more broadly. For example, outdoor marriage had emerged as a strong theme from the consultation and the Coalition Government was aware that allowing only non-religious belief marriages to take place in unrestricted locations might be seen as unfair:

The BHA and the majority of those supporting humanist marriages are of the firm view that only ceremonies in unrestricted locations will provide equality for and meet the needs of humanist couples. However, allowing belief marriages to take place at unrestricted locations would create a further difference in treatment in our marriage law and is opposed by the Church of England (CoE) and Church in Wales on the basis that it would create an inequality for the majority of religious groups and couples who are restricted to their registered place of worship. Registration services report a growing demand for outdoor marriages, and the Government is aware that allowing belief marriages in unrestricted locations may also be seen as unfair by couples who are neither religious nor humanist but who also may want a greater choice of marriage

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<sup>18</sup> Further information is provided in another Library briefing paper, [Humanist Marriage Ceremonies](#), Number 05864

<sup>19</sup> Ministry of Justice, [Marriages by Non-Religious Belief Organisations](#), June 2014

<sup>20</sup> Ministry of Justice, [Marriages by Non-Religious Belief Organisations: Summary of Written Responses to the Consultation and Government Response](#), 18 December 2014



venues. Any broader changes concerning the places where marriages ceremonies may be conducted could not be achieved through the order-making power in section 14 of the 2013 Act, which is limited to making provision for marriages by people in non-religious belief organisations.<sup>21</sup>

The response stated that the legal and technical requirements of marriage ceremonies and registration in England and Wales should be considered before, or at the same time as, making a decision on the issue of non-religious belief ceremonies.

The Coalition Government said that it would ask the Law Commission to conduct a broader review of the law concerning marriage ceremonies, to begin as soon as possible.<sup>22</sup>

## 5.2 Law Commission scoping review

In December 2014, the Coalition Government asked the Law Commission to conduct a review of the law governing how and where people can marry in England and Wales. The Law Commission agreed to carry out an initial scoping review of marriage law. The aim of the review was to consider whether the current law provides a fair and coherent legal framework for enabling people to marry, and to identify areas of the law that might benefit from reform.<sup>23</sup> At that time the Law Commission's project was called "Marriage law".

## 5.3 Law Commission scoping paper

In December 2015, the Law Commission published [Getting Married A Scoping Paper](#),<sup>24</sup> together with an [Executive Summary](#).<sup>25</sup>

The Law Commission concluded that the law governing how and where couples in England and Wales can marry "is badly in need of reform".<sup>26</sup> It found that there are many people whose needs and wishes are not met by the current law, and that society's interest in regulating how marriages are solemnised could be better protected. The Commission also concluded that the current law does not provide a coherent framework for enabling people to marry. They found that many groups and individuals felt that the law was unfair and overly restrictive.<sup>27</sup>

The Law Commission acknowledged that the prompt for their involvement had been the consultation on whether humanists and other non-religious belief organisations should be able to solemnize marriages. However, it said, while this was important, this was only one

The Law Commission considers that the law governing where couples may marry is in need of reform

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<sup>21</sup> Ibid p5

<sup>22</sup> Ibid

<sup>23</sup> Law Commission, [Marriage law – outdated and in need of reform](#), 17 December 2015 [accessed 3 March 2020]

<sup>24</sup> [Law Commission, Getting Married A Scoping Paper, 17 December 2015](#)

<sup>25</sup> [Law Commission, Getting Married A Scoping Paper Executive Summary, 17 December 2015](#)

<sup>26</sup> Law Commission, [Marriage law – outdated and in need of reform](#), 17 December 2015 [accessed 3 March 2020]

<sup>27</sup> [Law Commission, Getting Married A Scoping Paper Executive Summary, 17 December 2015](#), paragraph 1.3

of many issues which should be considered and that it would be unfair to privilege non-religious belief organisations over religious groups:

In particular, it would be very difficult to justify why the fewest restrictions should be applied to the newest category...Many other religious groups would welcome the relative lack of legal regulation currently enjoyed by those marrying according to the usages of Jews and Quakers, and would undoubtedly and justifiably resent non-religious belief organisations being accorded that privilege.<sup>28</sup>

The Law Commission concluded that it would not be appropriate to legislate solely for non-religious belief organisations, as this would create further anomalies:

What is needed is a new system that seeks to minimise, rather than multiply, differences in the legal treatment of those authorised to conduct weddings.<sup>29</sup>

The Law Commission considered different models for reform and said that its preferred option was for “a new system that provides for greater choice within a simpler legal structure”.<sup>30</sup>

With regard to the location of marriage ceremonies, the Law Commission noted the demand for marriages to be conducted in a wider range of locations, including outdoors and at home.<sup>31</sup>

The Commission considered that providing for a wider range of venues for marriage would allow the location of the wedding to be “both cheap and personal”.<sup>32</sup>

The scoping paper did not set out specific proposals for reform. Instead, it included a list of questions, covering each of the stages of getting married, which the Law Commission considered would need to be covered in any review.

With regard to location, the paper set out a number of issues which might have to be considered including:

- whether there should be any restrictions on the types of location where a marriage could be solemnized;
- who, if anyone, should have to agree or authorise the chosen location: the registration services or the person responsible for solemnizing the marriage;
- the costs and process of agreeing locations;
- the criteria for determining whether a particular location should be approved;
- issues relating to safety, security and insurance;

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<sup>28</sup> [Law Commission, Getting Married A Scoping Paper, 17 December 2015](#), paragraph 3.19

<sup>29</sup> *Ibid* paragraph 1.46

<sup>30</sup> *Ibid* paragraph 1.44

<sup>31</sup> [Law Commission, Getting Married A Scoping Paper, 17 December 2015](#), paragraph 1.28

<sup>32</sup> *Ibid* paragraph 1.32

- whether specific criteria would be needed to maintain the dignity and seriousness of the occasion;
- whether the venue should be publicly accessible.<sup>33</sup>

## 5.4 Government response

Dominic Raab, who was then Justice Minister, responded to the Law Commission in writing on 11 September 2017. He said:

“now is not the right time to develop options for reform to marriage law”.<sup>34</sup>

However, in the 2018 Budget (29 October 2018) the Government announced that, in connection with promoting greater choice of wedding venues, it had asked the Law Commission to propose options for reform:

England and Wales have outdated laws about how and where couples can marry. The government has asked the Law Commission to propose options for a simpler and fairer system to give modern couples meaningful choice. This will include looking at reducing unnecessary red tape and lowering the cost of wedding venues for couples.<sup>35</sup>

## 5.5 Law Commission Weddings project

On 28 June 2019, the Government launched a Law Commission review of the law governing how and where marriages can take place in England and Wales.<sup>36</sup>

The Government said that the review “could open up opportunities for civil ceremonies at sea, in private homes or military sites for service personnel”.<sup>37</sup>

The Commission intends to conduct a public consultation and expects that the detailed review, including a final report, will last two years.<sup>38</sup>

### Terms of reference

The review will consider how and where couples can marry in England and Wales. It will “seek to provide recommendations for a reformed law of weddings that allows for greater choice within a simple, fair, and consistent legal structure”.<sup>39</sup>

The Law Commission is intending to make recommendations regarding (among other things), how the law should be reformed to enable marriage ceremonies to take place in a wider range of venues, including outdoor locations.

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<sup>33</sup> Ibid paragraphs 4.29 to 4.38

<sup>34</sup> [Letter from Dominic Raab to Professor Hopkins, Marriage law](#), 11 September 2017

<sup>35</sup> HM Treasury, [Budget 2018](#), HC1629, 29 October 2018, paragraph 5.52, p83

<sup>36</sup> Gov.UK, [First ever marriage review to free-up dream wedding venues](#), 28 June 2019 [accessed 18 February 2020]

<sup>37</sup> Gov.UK press release from Prime Minister's Office, 10 Downing Street, Ministry of Justice, Rt Hon David Gauke, and Rt Hon Theresa May MP, [First ever marriage review to free-up dream wedding venues](#), 28 June 2019 [accessed 3 March 2020]

<sup>38</sup> Law Commission, [Weddings](#) [accessed 3 March 2020]

<sup>39</sup> Law Commission, [Terms of Reference – Weddings Project](#), paragraph 1.1

The full [terms of reference](#) for the review, which include the principles which will underpin recommendations for reform, are available on the Law Commission website.

## 5.6 Government's separate work

Separately, the Government is looking at allowing civil weddings and civil partnerships to be held outside by way of secondary legislation, subject to any necessary consultation.<sup>40</sup>

The Law Commission provides the following information:

Alongside the Law Commission project, the Government will take forward separate work to explore what can be done to deliver interim reform within the existing buildings-based system for certain civil ceremonies. The Government will explore the extent to which regulations governing approved premises could be reformed to allow outdoor locations for civil weddings and civil partnership ceremonies, whilst maintaining the requirement that venues be seemly and dignified.<sup>41</sup>

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<sup>40</sup> Gov.UK press release from Prime Minister's Office, 10 Downing Street, Ministry of Justice, Rt Hon David Gauke, and Rt Hon Theresa May MP, [First ever marriage review to free-up dream wedding venues](#), 28 June 2019 [accessed 3 March 2020]

<sup>41</sup> Law Commission, [Weddings](#) [accessed 3 March 2020]

## 6. Marriage venues in Scotland

In Scotland there is a wider choice of venues for marriage. Scottish law also provides for the solemnisation of non-religious belief marriages, for example, humanist marriages.

Couples must agree with the celebrant where the marriage will take place.

A National Records of Scotland leaflet, [Marriage in Scotland](#), summarises the position:

You can be married in either of two ways in Scotland - by a religious or belief ceremony or by a civil ceremony:

- A religious or belief marriage may take place anywhere and may be solemnised only by a minister, clergyman, pastor, priest or other person approved to do so under the Marriage (Scotland) Act 1977.
- A civil marriage may take place in a registration office or at any place agreed between the registration authority and the couple and may be solemnised only by a registrar or an assistant registrar who has been authorised by the Registrar General for that purpose.<sup>42</sup>

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<sup>42</sup> Leaflet RM1, February 2017, p2

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