From: Philip Wales, Registrar General

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To: Finance Committee, NI Assembly

Department of Finance
An Roinn Airgeadais
www.finance-ni.gov.uk

BRIEFING – FURTHER PROVISION OF INFORMATION RELATING TO PROCESSES FOR REGISTRATION OF GROUPS WHO CAN CELEBRATE MARRIAGES.

INTRODUCTION

1. This document is being provided in response to a further request from the Finance Committee for briefing in relation to several specific aspects of GRO's processes for the licensing and registration of groups who can celebrate marriage.

STEP-BY-STEP APPLICATION PROCESS

2. The step-by-step process for appointing religious officiants and belief body officiants is set out in the Annex.

DIGNITY OF BELIEF BODY MARRIAGE CEREMONY

3. The Registrar General ("RG") has a discretion as to whether an application to become a belief body officiant is granted in accordance with the Marriage (NI) Order 2003 ("the Order"). This flexibility is the safeguard against authorising any applicant organisation that might come forward, for whom it is suspected that the dignity of a marriage may not be upheld.

APPEALS PROCESSES FOR UNSUCCESSFUL OFFICIANT APPLICATIONS AND CANCELLATION OF REGISTRATIONS

4. If a person's application for officiant status is unsuccessful the RG will notify the applicant's body of the reasons for this and the body can appeal to the Department within 28 days of notification of that decision.

5. If the RG cancels an existing registration of an officiant he shall notify them and the body which applied for them to be registered of the reasons for doing so, and either that individual or the relevant body can appeal to the Department within 28 days of notification of that decision.

6. Where such decisions are appealed the Department (in practice, the Permanent Secretary of the Department of Finance) shall—
   (a) notify the appellant of its decision; and
   (b) give the RG such directions (if any) as it thinks appropriate.
   If the Permanent Secretary dismisses an appeal under paragraph (1), the appellant may appeal further, to a county court (Article 13 of the Order).

7. Historically, GRO is aware of a very small number of applications over the past 23 years, since the Marriage (NI) Order 2003 was introduced, for whom an officiant application was denied. This includes a case in which the applicant appealed and their appeal was also denied.

8. From a registration perspective, these arrangements have worked well in practice. Applications are being processed smoothly without regular recourse to the available appeals mechanisms, and we are not aware of any issues arising concerning the conduct of marriage ceremonies here.

TEXT ON OFFICANT APPLICATION FORMS

9. The Committee raised a point in relation to some of the text on the belief body officiant application form – GRO 466 – noting that the word "religious" was being

used on the belief body form. We thank the Committee for this observation. Noting that whilst it may appear confusing, the *Smyth* judgment directed that the word “religious” in the 2003 Order is to be read as “religious or belief”, as belief bodies are not mentioned in that Order. However, we welcome this feedback from the Committee and will seek to clarify the text on the form at the next available opportunity to make it clear that this form is in relation to belief bodies.

ANNEX

Officiant Application Processes for Religious and Belief Body Officiants

Item	Religious Body	Belief Body
Documents required by GRO	• The constitution of the Religious Body • Confirmation of Charity Status if applicable • Declaratory words to be spoken by the parties during the marriage ceremony • Nominee's Religious Credentials/References • Letter from superior if the nominee was previously Ministering outside NI • An Annex to include 10 householders who are members of the Religious Body	• The constitution of the Belief Body • Confirmation of Charity Status if applicable • Declaratory words to be spoken by the parties during the marriage ceremony • Nominees References • Letter from Official of the Organisation • An Annex to include 10 householders who are members of the Belief Body
Information Collected by GRO	• Name of Religious Body • Name of Church • Number of members locally • Number of members in NI as a whole • Marriage Preference (Opposite/Same-Sex) Nominating Person & Nominee ○ Name of Church affiliated with ○ Full Name ○ Designation ○ Address & Contact details	• Name of Belief Body • Address • Number of members locally • Number of members in NI as a whole • Marriage Preference (Opposite/Same-Sex) Nominating Person & Nominee: ○ Name of Belief Body ○ Full Name ○ Designation ○ Address & Contact details

	• Declaration & Signature of the Nominee	• Declaration & Signature of the Nominee Details of the Proposed Marriage (because the application process for belief bodies is on a marriage-by-marriage basis) • Parties' full names • Date of Marriage • Place of Marriage
What the Nominating Person Certifies	1. The body is an organised group of people meeting regularly for common religious worship, and therefore, can be regarded as a religious body for the purposes of the Marriage (NI) Order 2003; 2. The marriage ceremony to be used by the nominee has been approved by the Religious Body and includes a declaration by the parties, in the presence of each other, the officiant and two witnesses. 3. That they have been authorised by the Religious Body to nominate persons to solemnize marriages on their behalf; 4. The person they have nominated is 21 years of age or over and is regarded by the Religious Body as a fit and proper person to solemnize marriages;	1. The marriage ceremony to be used by the nominee has been approved by the Belief Body and includes a declaration by the parties, in the presence of each other, the officiant and two witnesses. 2. That they have been authorised by the Belief Body to nominate persons to solemnise marriages on their behalf; 3. The person they have nominated is 21 years of age or over and is regarded by the Belief body as a fit and proper person to solemnise marriages; 4. Marriage Preferences for Nominee (Opposite/Same-Sex).

	5. The persons who have signed at an attached annex are householders and members of the named Religious Body.	
Declaration by Nominee	I have read and understand the requirements, and I shall ensure that these requirements are fulfilled when I solemnize any marriage on behalf of the Religious Body. I enclose herewith a copy of the religious body's constitution along with the declaratory words, which the parties will say to each other in any marriage ceremony, which I will perform. Signed & dated by Nominee	I have read and understand the requirements, and I shall ensure that these requirements are fulfilled when I solemnize any marriage on behalf of the Belief Body. I enclose herewith a copy of the Belief Body's constitution along with the declaratory words, which the parties will say to each other in any marriage ceremony, which I will perform. Signed & dated by Nominee
GRO Responsibility	GRO reviews the information in the forms to ensure it is complete and meets the criteria. In the majority of cases no further information is required. The Officiant will be approved and added to the Officiant Database for Registrars to select for Marriage Ceremonies on a permanent basis. (Religious Bodies also have the option to nominate officiants on a temporary basis if required)	GRO reviews the information in the forms to ensure it is complete and meets the criteria. In the majority of cases no further information is required. The Officiant will be approved and added to the Officiant Database for Registrars to select for Marriage Ceremonies on a temporary basis.
Action Taken if an Issue Arises	If the information provided does not meet the criteria, GRO Casework Team will advise the applicant and request supplementary documents and/or information.	If the information provided does not meet the criteria, GRO Casework Team will advise the applicant and request supplementary documents and/or information.

	If this is still not satisfactory, the Casework Team will reject the application, stating the reasons why.	If this is still not satisfactory, the Casework Team will reject the application, stating the reasons why.
Appeals Process	If the Applicant is unhappy with the decision, Casework Team will refer the case to the Registrar General (RG) who will review the file. If the RG agrees with the Casework decision, a letter will be issued to the applicant to advise of this. The letter will provide information on how to appeal to the Department. If an appeal is made, the Permanent Secretary will review the case. They will either uphold the appeal if they are satisfied with the evidence provided or will otherwise reject the appeal. If the appeal is upheld, GRO will add the Officiant to the database.	If the Applicant is unhappy with the decision, Casework Team will refer the case to the Registrar General (RG) who will review the file. If the RG agrees with the Casework decision, a letter will be issued to the applicant to advise of this. The letter will provide information on how to appeal to the Department. If an appeal is made, the Permanent Secretary will review the case. They will either uphold the appeal if they are satisfied with the evidence provided or will otherwise reject the appeal. If the appeal is upheld, GRO will add the Officiant to the database.
Application Forms	 GRO-460-permanent -religious-officiant-ap	 GRO-466-Temporary -Belief-Body-Officiant