Marriage and Civil Partnership Bill: clauses 1(2)(d) and 2(4)

To the Committee for Finance, Northern Ireland Assembly

Coalition for Marriage, founded to champion marriage as the voluntary, exclusive, lifelong union of one man and one woman, objects to clauses 1(2)(d) and 2(4). They let the Department of Finance set unwritten terms a church must meet before anyone new may conduct its weddings. Measured against our aim, that a church's beliefs and teaching are never such a term, the Bill fails, and must say so itself.

Clause 1(2)(d) makes the Registrar General refuse a church's nominee if he considers that "the body making the application does not meet such qualifying requirements as may be prescribed". The Bill doesn't say what the requirements may contain. The Assembly would only vote on the Department's draft (clause 4(9)). https://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/mandate-2022-2027/marriage-and-civil-partnership-bill/marriage-and-civil-partnership-bill---as-introduced---fpv.pdf

No church is exempt. Every new nominee and temporary authorisation would turn on the requirements. https://www.legislation.gov.uk/nisi/2003/413/article/2

The Department's memorandum says extra requirements were "not required at this stage", because the scheme "appears to work well" (paragraph 9). The Department wants the power anyway, as future-proofing, naming no difficulty, and says Scotland, with a similar power, "has yet to use the power" (paragraph 4). https://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/mandate-2022-2027/marriage-and-civil-partnership-bill/marriage-and-civil-partnership-bill---efm---as-introduced---fpv.pdf

In December 2025 the Scottish Government proposed qualifying requirements that bodies seeking authorisation say what their meetings for worship are about, and pledge they "will not denigrate marriage ceremonies" held by others. https://www.gov.scot/publications/scottish-government-consultation-family-law/pages/4/

A church teaching that a same-sex ceremony is no marriage could be held to denigrate it. Scotland's paper promises the pledge "would not stop criticism of the existence of same sex marriage" (paragraph 3.58). That promise is no limit in law, and this Bill sets none.

Scotland says an equality impact assessment "is required, given the impact on religious and belief bodies" (paragraph 3.97). https://www.gov.scot/publications/scottish-government-consultation-family-law/pages/4/ The Department's screening found "No adverse impacts to any of the Section 75 groups" (memorandum, paragraph 15). https://www.niassembly.gov.uk/globalassets/documents/legislation/bills/executive-bills/mandate-2022-2027/marriage-and-civil-partnership-bill/marriage-and-civil-partnership-bill---efm---as-introduced---fpv.pdf Nobody can screen requirements that haven't been written.

Our ask

We ask the Committee to recommend, before Committee Stage ends, that clauses 1 and 2 say qualifying requirements:

(a) may not concern what a body believes, teaches or preaches, or what its worship contains.

(b) may never exclude a body because it holds that marriage is the union of one man and one woman.

(c) may be laid only after consultation with religious and belief bodies and a full equality impact assessment.

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