

THE BISHOP OF HEREFORD'S REGISTRY

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To: Clergy in the Diocese of Hereford
(and others responsible for the publication
of banns for Church of England weddings)

NOTE TO THE CLERGY – MARRIAGE LAW: changes to publication of banns

The 'Church of England Marriage (Amendment) Measure 2012' is due to receive Royal Assent on 19th December 2012. The Measure deals with two aspects of marriage law.

Section 2 comes into force immediately when Royal Assent is given, i.e. on 19th December 2012. This section concerns important changes to the law regarding the publication of banns, summarised as follows:

1. The Measure provides statutory authority for the use of the form of words for the publication of banns contained in Common Worship: Pastoral Services (as an optional alternative to the form of words contained in the Book of Common Prayer)
2. The Measure requires that the publishing of Banns (on three Sundays, as at present) must be at the '**principal service**' (rather than as at present at 'morning service'). There is an optional provision that they may additionally be published at any other service on those three Sundays.

These will be important changes to the statutory procedure for the publication of banns of marriage in the Church of England. The clergy and others responsible for publishing banns need to be aware of and in due course act upon these changes, given the importance of banns being properly published.

The Church of England Legal Office has provided a briefing setting out the changes, as well as a copy of section 7 of the Marriage Act 1949 as amended by the 2012 Measure. The briefing and amended section are both included with this note.

Section 1 of the Measure amends the Church of England Marriage Measure 2008 to widen the conditions for establishing the qualifying connections of persons intending to be married in certain cases. This Section will come into force at a later date, yet to be determined.

Clergy are always welcome to ring the Registry team during office hours for advice on general or specific enquiries on marriage law.

Howard Dellar and Peter Beesley
Joint Diocesan Registrars
23/11/2012