

BELFAST CITY COUNCIL

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Guidance to the Requirements and Conditions For Approved Premises for Civil Marriages/Civil Partnerships

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INTRODUCTION

This guidance is issued with reference to the Marriage (NI) Order 2003 and the Marriage Regulations 2003/Civil Partnership Act 2004 and the Civil Partnership Regulations (NI) 2005 (available on www.groni.gov.uk) This legislation allows for an Approval to be granted by the Local Authority (in this case Belfast City Council) for civil marriages/civil partnerships to be solemnised at suitable premises/locations.

The Marriage Order/Civil Partnership Act allows two types of Approval to be granted:-

- (a) a Place Approval - valid for 3 years – covering all Civil ceremonies at the designated premises.*
- (b) a Temporary Approval - valid for one event only on a specified date at the designated place.*

Part 1

Requirements for Premises

1. Who can apply for Approval?

- (a) 3 year Place Approval – applications may be made by the Proprietor or a trustee of suitable premises for use as a civil marriage/civil partnership venue.
- (b) Temporary Approval – applications can be made by either of the parties to an intended civil marriage/civil partnership.
- (c) Approval shall not be granted where Belfast City Council is of the opinion that the applicant is not a fit and proper person.

2. Which premises/locations can be approved?

Any premises/location which meets the requirements of Belfast City Council's Approval process. The following conditions will determine suitability:-

- (a) The premises/location must provide an appropriate and dignified setting for the celebration of marriage/civil partnership.
- (b) Civil marriages/Civil Partnerships must be solemnised at identifiable places within the Registration district.
- (c) Health and Safety and Fire regulations must be satisfied.
- (d) Public Liability Insurance must be provided.
- (e) The premises must have no recent or continuing religious connections.
- (f) The safety of Registration Office staff and their legal documents will be a consideration as to the suitability of the premises.

3. Additional Information

- (a) There is no limit to the number of rooms which can be approved for ceremonies. Belfast City Council would expect the number of rooms to be kept to a minimum to avoid confusion. Please note each application fee covers the rooms contained in one building.
- (b) Marriages/Civil Partnerships must take place only in a room/location which is approved.
- (c) A separate room must also be available for the confidential interviewing of marriage/civil partnership parties.
- (d) Where approval is sought for outdoor locations – appropriate shelter must be provided in case of inclement weather. If the alternative is a separate location (i.e. hotel where reception is to be held) Approval for this location must also be obtained.

Issuing an Approval Part 2

1. How to apply

Application forms can be obtained from: the Registrar's Office, City Hall, Belfast BT1 5GS
Website www.belfastcity.gov.uk/bdm/index or Telephone 028 90270455

2. Application

The completed form must be signed by the Proprietor of the Premises, his/her Trustee or in the case of Temporary Approvals, the bride or groom/Partner A or Partner B.

Forms should be submitted with all appropriate documents and fees to the Registrar at the address above.

Application must be made not less than 3 months or not more than 6 months from the date Approval is required.

The Marriage (NI) Order 2003/Civil Partnership Act 2004 requires that public notice be given of an application. The Council requires that this be displayed by the applicant in a prominent place on/at the premises/place for 21 days.

3. Objections

Any person may give notice in writing to the City Council of an objection to an application for the granting of an approval in accordance with the regulations. The authority shall consider the objection providing that the objection: -

- (a) specifies the name and address of the person making it
- (b) specifies the reason for the objection
- (c) was made to Belfast City Council within 21 days from the date on which public notice was given (see Part 2 / 2)

The Marriage (NI) Order 2003/Civil Partnership Act 2004 also allows for an authority to consider an objection to which the above applies received outside the notice period.

Belfast City Council shall send a copy of any objection submitted in accordance with the regulations to the applicant.

4. Decision Making

All applications will be acknowledged within 10 days of receipt.

Approvals will be issued within 3 months of application providing all requirements have been met. Refusals will be issued within 3 months. (see paragraph 10).

5. Appeals

See Appendix D.

6. Inspection

The premises will be inspected by the Registrar and/or other representatives of the Council, the police and the Fire Brigade. Further inspections may be carried out should a 3 year Period Approval be granted. Temporary Approvals will be granted on condition that the "marriage/civil partnership venue" remains the same as at inspection.

7. Validity

A Place Approval will be valid for 3 years from the date of issue – Updated copies of any certificates, which may expire during this time, must be submitted to the Registrar.

A Temporary Approval will be valid only for the date and place as stated on the Approval - any requests for changes can be made to the Council/Registrar but this may require re-application and incur charges.

8. Renewal

The approval holder may apply for the renewal of a Place Approval. A renewal will run from the expiry date of the current Place Approval. Application should be submitted not less than 6 months and not more than 12 months before the current Approval expires. A further application fee is payable for inspection of the premises and the issue of a renewed Approval.

Temporary Approvals cannot be renewed – even if a civil marriage/civil partnership has previously taken place at that location – each civil marriage/civil partnership will require separate temporary approval.

9. Expired Approval

Civil marriages/Civil Partnerships cannot take place in premises or locations where the approval has expired, unless a renewal of application has been applied for and has not been finally determined before the previous application expires. In such cases the approval shall continue in effect until such time as the application is finally determined or withdrawn.

10. Refusal or Non-Renewal of Approval

Where an application or renewal is refused the applicant will be notified in writing and the reason for refusal given.

11. Revocation and Suspension

Belfast City Council has the right to revoke or suspend an Approval at any time.(see Appendix D1)

Before revoking the approval Belfast City Council will:

- (a) notify in writing the reasons why it is proposed to revoke the Approval.
- (b) the holder will be given an opportunity to answer and rectify any breaches of requirements, conditions and regulations.
- (c) if the Approval holder is still unable to meet these requirements the Belfast City Council will notify in writing the date approval will be revoked from. It will be the responsibility of the Approval holder to notify all parties that marriages/civil partnerships cannot take place on the premises or at the location concerned. Any fees paid are non-refundable.

12. Surrendering Approval

The holder of a 3 year Place Approval or Temporary Approval may surrender the approval at any time which will be revoked as soon as is practicable. It will be the responsibility of the Approval holder to notify all parties that marriages/civil partnerships cannot take place on the premises or at the location concerned. Any fees paid are non-refundable.

13. Variation

Subject to providing notice to the Approval Holder Belfast City Council may at any time vary the conditions attached to any Approval on any grounds it thinks fit.

14. Register of Approved Premises

A Register of all premises holding 3 year Place Approvals will be kept by the Registrar and notified to the Registrar General for Northern Ireland. The register will contain:

- name, description and full postal address (if any)
- name and address of approval holder
- description and location of approved room(s)
- date approval granted
- date approval expires
- date the renewal of approval is granted
- date approval revoked
- name and address of responsible person (present at time of marriage/civil partnership)

This register will be available for public inspection during office hours.

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The Approval Holder must:

1. Appoint a “Responsible Person” who will be named on all applications. The responsible person will have sufficient authority to guarantee all requirements and conditions are fulfilled and all arrangements are in place to ensure the solemnity and dignity of the occasion. A Deputy may be appointed providing they have been named at the time of application. Subsequent amendments may be made, in writing to the Registrar, prior to the date of marriage/civil partnership. The Approval Holder may appoint himself or herself as a responsible person.
2. Ensure that all information held by the Registrar is current and complete i.e. changes to names or telephone numbers of responsible person or deputy.
3. Ensure the responsible person is aware of the responsibilities and requirements for co-ordinating marriages/civil partnerships. The responsible person must be present at least 1 hour before each ceremony and throughout the ceremony.
4. Ensure compliance with any limitations imposed by Health and Safety regulations and Fire regulations in respect of the number of guests allowed into the approved room*.
5. Ensure the premises are available for inspection at all reasonable times by the Registrar and or Council Representatives.
6. Ensure that all parties are aware that the granting of approval does not guarantee the availability of a Registrar.
7. Ensure advertising of premises or locations where approval has been granted is not implied to be a recommendation of that place by Belfast City Council or the Registrar General.
8. Ensure no food or drink is sold, dispensed or consumed within the approved room where the ceremony will take place for at least one hour before or during the ceremony.
9. Ensure that smoking is not permitted in the approved room for at least one hour before or during the ceremony.
10. Ensure that the approved room is clearly signposted and that no charge is made for anyone attending.
11. Ensure a separate room is available to the Registrar before and after the ceremony.
12. Ensure car parking is available at the venue for the Registrar.
13. Ensure music is organised and controlled by a designated person in liaison with the Registrar. This music must be secular and take into account any copyright issues.
14. Ensure guests are aware that photographs may not be taken during the ceremony – there will be time allowed at the end. Also that couples are aware that only one video camera will be permitted for use during the ceremony – preferably hand held and battery operated.
15. Ensure that there will be no connection with religion or religious practice.

The Approval Holder must be aware that marriage/civil partnership is a solemn and dignified occasion and must ensure that nothing of a frivolous or unseemly nature is permitted before or during the ceremony, which detracts from the dignity of marriage/civil partnership.

* approved room – the room, place or location as defined on the approval certificate where the ceremony will be held.

Once approval has been granted, the Ceremony needs to be arranged. Arrangements will be made between the Approval Holder, the parties and the Registrar. The following procedures must be followed in the case of 3 year Place or Temporary Approvals.

1. Parties wishing to marry/register a civil partnership must make preliminary enquiries with the Approval Holder or Responsible Person. Please note that, in the case of a temporary approval the Approval Holder would normally be either the bride or groom/Partner A or Partner B.
2. Form AP1 (a) must be completed by the Approval Holder or Responsible Person agreeing that the ceremony can take place on their premises/ location. These forms will be supplied to the Approval Holder by Belfast City Council. The Approval Holder should remind the parties that the completion of Form AP1(a) does not guarantee the availability of the Registrar and therefore the date and time cannot be confirmed at this point.
3. The parties must be advised to attend the Registrar's Office as soon as possible, bringing with them the completed AP1(a) and the Registrar's fees.
4. At this time Form AP1(b) will be completed confirming the availability of the Registrar and the date and time of the ceremony. The Registrar will issue a copy of the completed Form AP1 to the Approval Holder and to the parties within 21 days of receiving the application AP1(a).
5. An advance booking may, in most cases, be made with the Registrar up to 3 years before the date of the proposed ceremony.
6. The parties must be advised of any limits to the number of guests attending their ceremony as required by Health and Safety regulations and Fire regulations.
7. **The parties must be advised that punctuality on the day of the ceremony is essential as the Registrar may have other appointments on that day. Belfast City Council accepts no responsibility for cancellation of a ceremony due to late arrival of any member of the bridal/civil partnership party.**
8. Any civil marriage/civil partnership taking place on a vessel or vehicle will be carried out on the understanding that it remains stationary throughout the ceremony to allow the Registrar to leave once the ceremony has been completed.
9. The Approval Holder and Responsible Person must be aware that the necessary legal preliminaries to marriage/civil partnership must be completed by the parties.

Marriage/Civil Partnership Notice forms must be completed by the bride and groom or Partner A and Partner B and lodged with the Registrar about eight to ten weeks before the date of the ceremony. Failure to comply with these preliminaries will mean the marriage/civil partnership cannot take place.

Procedures on the day of the Ceremony

Part 5

The **suggested layout** for the room where the ceremony will take place is as follows:

A desk is needed at the front of the room for the Registrar. This must be available for the Bride & Groom/Partner A & Partner B to sign the marriage/civil partnership schedule

Chairs for the principals (bride/groom or Partner A/Partner B/witness/escorts etc.) should be approximately 2 metres in front of the desk.

Chairs for the guests should be arranged in rows "theatre style" behind the marriage/civil partnership principals preferably leaving a "central aisle" for the entrance of the bride/Partner(s).

In all cases it is important that there is suitable access for the bridal/partnership party to enter and leave the marriage/civil partnership room and this should be taken into consideration when arranging seating.

If you or the bridal/civil partnership party intend the ceremony room layout to differ greatly from the above, please discuss this with the Registrar **before the day of the ceremony**.

1. The Registrar will arrive at the premises/location about 30 minutes before the agreed time of the ceremony.
 2. Car parking space should be provided for The Registrar as near to the main entrance as possible.
 3. On arrival the Registrar will make herself / himself known to the Responsible Person. They will liaise to ensure that all conditions, requirements and procedures are met to allow for the smooth running of the ceremony.
 4. Where an admission fee is normally charged to enter the Premises, this must be waived for anyone wishing to attend the ceremony.
 5. The Registrar must, on arrival, have access to where the ceremony will take place and the separate interview facilities. Twenty minutes before the ceremony, the Registrar will conduct a confidential interview with the groom/Partner A who should then take his/her place in the ceremony room. Then, ten minutes before the ceremony, the Registrar will conduct a confidential interview with the bride/Partner B.
 6. The Responsible Person may have to ensure Ushers are provided to assist the marriage/civil partnership party and the Registrar.
 7. Music may be provided but must be secular i.e. no religious content and organised by the Responsible Person. (see Part 3. 13)
 8. The Responsible Person should remind the guests at the ceremony of the procedure regarding photography and video recording. (see Part 3. 14)
 9. After the ceremony the Registrar will require the Bride, Groom or Partner A, Partner B and Witnesses to sign the Marriage/Civil Partnership Schedule. A table should be provided for this purpose. Once the Schedule has been signed the Registrars duties will be complete and he / she will leave at once.
- . The Approval Holder may wish to provide a suitable book for the couple to use when posing for photographs.

It is important to be aware that when conducting a ceremony the Registrar is obliged to act in accordance with the Marriage (NI) Order 2003/Civil Partnership Act 2004, the associated Regulations and guidance from the Registrar General for Northern Ireland.

Appendix A

Guidance for Venues from the Registrar General

In considering the suitability of places as venues for civil marriages/civil partnerships the local authority will have regard to the following guidance from the Registrar General:

1. The new law is intended to allow civil marriages/civil partnerships to be solemnised at any approved location, including any premises, fixed buildings, temporary structures, enclosures and similar structures, land (including any land covered with water insofar as within the jurisdiction of the registration district) and any vessels or vehicles, without compromising the fundamental principles of the Northern Ireland marriage/civil partnership law and the solemnity and dignity of civil marriage/civil partnership. These will mean that certain places are not suitable for approval.
2. Civil marriages/civil partnerships must be solemnised at identifiable places within the registration district in respect of which the marriage/civil partnership schedule has been issued. The position of the place must be suitably defined in words or figures so as to enable it to be recorded in the Marriage/Civil Partnership Schedule. For the avoidance of doubt, local authorities may approve moving vessels as approved places provided that for the duration of the marriage/civil partnership ceremony any such vessel remains stationary within the boundary of the registration district in which the marriage/civil partnership is to be solemnised.
3. A local authority is required not to approve a place if the authority is of the opinion that the place will compromise the solemnity and dignity of civil marriage/civil partnership. The primary use of a place would render it unsuitable if that use could be regarded as demeaning marriage/civil partnership or bringing it in to disrepute.
4. The local authority is also precluded from granting approval to any place with a recent or continuing connection with any religion or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages/civil partnership. This would, for example, rule out any place, any building or any specific room or space within a building whose primary purpose is still considered to be linked to religion e.g. a chapel in a stately home. However, a place in which a religious group meets occasionally may be suitable if its primary use is secular. GRO (NI) also recognises that there are places where the issue may not be clear-cut. For instance, ruined abbeys and churches clearly would have had an historical religious connection. In determining whether such places might be approved as venues for civil marriages/civil partnerships, local authorities should examine and take into account the present-day circumstances.
5. Civil marriages/civil partnerships in approved places may be followed by a celebration, commemoration or blessing of the couple's own choice, provided that this does not purport to be a religious ceremony and that it is distinct from the civil ceremony.

Appendix B

Conditions of Approval

The following conditions are set by the Registrar General for Northern Ireland and will be attached to notices of Approval.

1. The Approval Holder is responsible for compliance with these conditions and must make arrangements to ensure that in his or her absence a person of suitable responsibility is available in this regard.
2. The Approval Holder (or his/her delegate) shall be available in or at the approved place for a minimum of one hour prior to each civil marriage/civil partnership ceremony and throughout the ceremony itself.
3. The Approval Holder must notify the authority immediately of any change to the following -
 - (a) the nature of the approved place from that described in the application for approval;
 - (b) the name, description and full postal address (if any) of the approved place; and
 - (c) the address of the Approval Holder.
4. Where a person is deemed to be an Approval Holder under Regulation 28, that person shall be obliged to notify the authority immediately of that fact in accordance with Regulation 28(2).*
5. The approved place must be made available for inspection by the authority at all reasonable times.
6. No food or drink may be sold or dispensed or consumed in any approved place in which a marriage/civil partnership ceremony is to take place within one hour prior to that ceremony or during the ceremony itself, except where the ceremony takes place in separate room or similarly defined space within the approved place in which case this restriction shall only apply to that room or space.
7. The arrangements made by the Approval Holder for each civil ceremony must meet with the prior written approval of the district registrar of the registration district in which the approved place is situated.
8.
 - (1) Any reference to an approved place on any sign or notice, in or on any stationery or publication, or within any advertisement, relating to that place, may state, that the approved place has been approved by the authority as a venue for civil marriages/civil partnerships in pursuance of the Acts and if it does so, must state that such an approval does not bind the authority to perform or provide a service without prior consultation with and agreement of said authority.
 - (2) Any reference under (1) shall not state or imply any recommendation of the approved place or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.
 - Marriage Regulations 2003/Civil Partnership Regulations 2005 available on www.groni.gov.uk

Appendix B contd

The following conditions are set by the Belfast City Council under the Marriage Regulations 2003 19(b) and schedule 12/Civil Partnership Regulations 2005 11(b) and Schedule 3 and will be attached to notices of Approval

Seating must be provided for all attending the ceremony

Toilet facilities should be available for all attending the ceremony

There should be disabled access to the Approved Room(s)

There should be no smoking in the room for one hour prior to **or** during the ceremony.

Any microphones, other equipment etc should be in working order

The Approved Room in which the marriage/civil partnership is to be solemnised must be separate from any other activity on the premises at the time of the ceremony. Any other activities must not detract from the solemnity of the occasion e.g. there must be a reasonable absence of noise.

If the place of marriages/civil partnerships is out of doors, an alternative indoors “Approved Place” should be available near at hand in case of inclement weather.

Approved Room – the room, place or location as defined on the approval certificate
where the marriage/civil partnership ceremony will be held.

Appendix C

Registrar Generals Guidance regarding those wishing to marry/register a civil partnership at an Approved Place

1. As soon as a couple has made provisional arrangements for their marriage/civil partnership at an approved place they should be advised to contact the Registrar for the district in which the place is situated.
2. Without the presence of the Registrar there can be no marriage/civil partnership and any arrangements for the use of place depend entirely on the registrars availability. It is, therefore, essential that the couple make an advance booking with the registrar for his or her attendance at their proposed marriage/civil partnership as soon as a booking can be accepted. A fee for this attendance will be payable in advance of the ceremony.
3. Each of the couple will also have to complete a Notice of Marriage/Civil Partnership Form and lodge it with the district registrar not more than one year, and not less than fifteen days, before the ceremony. The recommended time would be 8 to 10 weeks before the ceremony.
4. The couple should be warned that any arrangements made for a marriage/civil partnership to take place at the approved place are dependent on:
 - (a) the attendance of the Registrar for the district in which the place is situated; and
 - (b) the issue of the schedule for marriage by the Registrar to whom notice of marriage was given.
5. The couple should be advised that only a civil **non-religious** ceremony can be permitted by the Registrar. Any music, readings, words or performance that form any part of the ceremony must be secular i.e. have no religious content. The content of the ceremony must be agreed in advance with the Registrar who will be attending the ceremony.
6. Any rights of copyright for music, reading etc. permitted at the ceremony are a matter for the couple and the holder of approval.

Appendix D

Revocation and Suspension of Approval

Revocation and Suspension

- (1) The Belfast City Council may revoke or suspend an approval if, in its opinion, after considering any representations by or on behalf of the Approval Holder, that:

- (a) the Approval Holder has failed to comply with one or more of the standard or local conditions attached to the approval;
- (b) the approved place is no longer suitable for the solemnisation of civil marriages/civil partnerships: or
- (c) in the case of a period approval, the Approval Holder is not or is no longer a fit and proper person.

If the Approval Holder ceases to have an interest in the approved place, then the local authority may also revoke, suspend or vary the terms of the approval.

- (2) When approval has been suspended or revoked the regulations require the Approval Holder to notify any couples who had arranged to marry/register a civil partnership in the place.

Variation

- (3) Subject to providing notice to the Approval Holder, a local authority may, at any time, vary the conditions attached to a temporary approval, or the further conditions attached to a Place Approval, on any grounds it thinks fit.

Appeal

- (4) Local authorities should note that, under Article 18(4)(i) of the Marriage (NI) Order 2003/Section 144 (4)(i) of the Civil Partnership Act 2004, an applicant or an Approval Holder may appeal to the County Court against any decision of the local authority if the Approval Holder considers that the local authority: erred in law, based its decision on any incorrect material fact, acted contrary to natural justice or exercised its discretion in an unreasonable manner. In upholding an appeal, the County Court may remit the case back to the local authority for reconsideration of its decision or reverse or modify the decision of the local authority.