



Getting Married in England and Wales

The basis for a valid marriage

The legal requirement for a valid marriage

The Marriage Act 1949 requires generally that a marriage must take place either in a register office, approved premises or in a place of religious worship that has been officially registered for marriages by the Registrar General for England and Wales. This includes churches such as the Roman Catholic, or the Baptist Churches, a Hindu temple or a Mosque. All Register Offices have lists of buildings where marriages can legally take place. The staff there can also give advice about how places of worship can be registered for marriages.

Except for marriages in the Church of England or Church in Wales, each party to the marriage must give notice of their intention to marry in person, to the superintendent registrar of the district in which he or she lives. This needs to be done well in advance of the marriage. Both superintendent registrars' written certificates must then be obtained before the marriage can take place.

The marriage must be solemnised within twelve months of the date when notice is given. It must take place in one of the buildings mentioned above (not in a private house) and in the presence of a Registrar of Marriages or an Authorised Person (a member of the community, who may be a priest or imam, appointed by the trustees of the religious building), who will register the marriage and issue a marriage certificate. No further action need be taken by the couple to validate the marriage.

Therefore, provided that a mosque is registered as above, and the couple give due notice at their local register office, then they can have a perfectly valid Muslim ceremony at a mosque, and they will get a marriage certificate at the end of it. There is then no need to have a civil marriage.

Religious ceremonies at buildings not registered for marriages

The aim of this section is to highlight the problems of having a religious marriage which is solemnised outside the provisions of the Marriage Act 1949. In the context of Muslim marriages, this will usually be at a mosque which is not registered under the Marriage Act 1949 or, if it is registered, the couple will not have completed the civil preliminaries required by English law, ie they will not have given formal notice of intention to marry at their local register office.

There is no provision for a religious marriage ceremony, be it at a church, temple, mosque, to take place without some form of legal preliminary, ie giving notice (banns for Anglican marriage).

The law does allow for a formal religious blessing afterwards, but this would not in itself be recognised as a ceremony of marriage. For further details contact your local register office.

Equally if the trustees of a religious building, such as a church, temple or mosque, which is not presently registered for marriage, subsequently wish to have their building registered for the solemnisation of marriages then they should also contact their local register office.

Eligibility for marriage

To marry in England or Wales people do not have to be British citizens or to have the right to live here permanently. Marriage in the United Kingdom does not, however, automatically give people the right of permanent residence here.

If either of you is, or you both are subject to immigration control, you must contact the Immigration and Nationality Directorate (IND) for further information about getting married in England or Wales. Their website details are below:-

<https://www.gov.uk/check-uk-visa>

It is of great importance that everyone who wants to be married in England or Wales should make sure that his or her marriage will be valid in English Law. If it is not valid, the couple may suffer a number of disadvantages as a result.

Examples of the possible disadvantages

If it is not possible to produce a marriage certificate recognised by the civil authorities then this may cause hardship and distress. For instance, it may not be possible to claim some of the benefits that are readily available to those who marry in accordance with the provisions of the Marriage Act 1949, such as

widow's pension, retirement pension etc. Also any children the couple may have may not be regarded in law as children of the marriage.

Further information

Advice on the procedures to be followed for giving notice of marriage in England and Wales can found elsewhere on Gov.uk:

<https://www.gov.uk/marriages-civil-partnerships>

Information is also available from any Register Office (the address and telephone number will be in the telephone book) or from the address below:

General Register Office
Trafalgar Road
Southport
PR8 2HH

Website: www.gov.uk

Email: grofirstpointofcontact@gro.gsi.gov.uk

Tel: 0300 123 1837

Information about marriage in Scotland and Northern Ireland can be obtained from the following addresses:

The National Records for Scotland
New Register House
Edinburgh
EH1 3YT

The Registrar General for Northern Ireland
Oxford House
49/55 Chichester Street
Belfast
BT1 4H