

3 August 2018

Anthony Tohill
Mid-Ulster Council
Dungannon Office
Circular Road,
Dungannon
BT71 6DT

Dear Anthony

You will be aware that in June of last year a civil marriage was carried out by a humanist celebrant in Ballymena. This was due to a Judicial Review of the current legislation (2003 Marriage Order) regarding the types of marriages offered in Northern Ireland.

A summary of the case is that in early 2017 a couple were refused a humanist wedding by the General Register Office (GRO). The case went to Judicial Review at the High Court which found in their favour. The Department of Finance and GRO appealed. Due to the time that would be required to complete the appeal process, I, as Registrar General, was instructed by an interim judgment to facilitate the marriage to be carried out by a humanist celebrant in June 2017.

The appeal judgment was delivered on 28th June 2018 (see links below). The Appeal Court requires GRO to broaden the interpretation of Article 31 (3) of the 2003 Marriage Order to include the appointment by Councils of humanist celebrants. Article 31 refers to "Registrars and other staff" in the context of civil marriages, therefore weddings solemnized by humanist celebrants will be civil.

GRO are currently amending procedures to facilitate the approval of humanist celebrants and are working to assess the longer term impact of the judgment.

The changes required in the short term are:

- 1) using a new version of the marriage notice form,
- 2) GRO determining the suitability of humanist celebrants for each wedding and
- 3) the council appointing the approved humanist as a temporary celebrant for the marriage detailed in the notice form.

As part of the process to appoint a humanist celebrant GRO will need to inform the Council of successful applicants. Would you please notify me of the appropriate person or role who will coordinate these appointments. They will receive details of approved humanist celebrants from GRO, inform the Registrar of the celebrant's appointment and send the appointment letter.

I have attached a short humanist celebrant appointment letter with guidance notes that you may wish to customise for your Council. Note that humanist celebrants will not be employees of the Council

Although appointments will initially be on a marriage by marriage basis this may change after the review. It is important in this period that we get all the documentation and processes right in each case so that for each marriage we have the approval of the celebrant in place, the temporary appointment letter specifying the celebrant, the marriage and the date accurately and clarity about the respective responsibilities of the celebrant and the registrar in the context of a civil wedding conducted by a humanist celebrant.

We will continue to update District Registrar Offices on relevant changes via the bulletin process.

Should you have any questions please do not hesitate to contact Kathie Walker the Deputy Registrar General (Kathie.walker@finance-ni.gov.uk)

Yours sincerely



Siobhan Carey CBE
Registrar General

The judgment is available at:-

[https://www.judiciary-ni.gov.uk/sites/judiciary/files/decisions/Smyth's \(Laura\) Application 0.pdf](https://www.judiciary-ni.gov.uk/sites/judiciary/files/decisions/Smyth's%20(Laura)%20Application%200.pdf)

The Marriage (Northern Ireland) Order 2003 is available at:-

<http://www.legislation.gov.uk/nisi/2003/413/contents>

Overview of changes to Council processes.

	Council process	
	Notice form available from NI Direct to download or from Council office	
	Couple complete Notice forms, adding details of the humanist celebrant with the celebrant's signature	
	Submit notice form to Registrar	
	Registrar produces the schedule	
	Registrar releases schedule to couple.	
	Schedule returned after ceremony.	
	Marriage registered.	

	Process to approve and appoint a humanist celebrant	
	Celebrant completes application form 470 and forward to GRO	
	GRO make decision on celebrant	
	GRO register celebrant	
	GRO inform Council	
	Council issue appointment letter.	