



Government  
**Equalities** Office

Putting equality at the heart of government

## **Summary of responses**

# **Civil partnerships on religious premises: A consultation**

November 2011

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# I. Introduction

- 1.1 Following a listening exercise held last year by Lynne Featherstone MP, Minister for Equalities, with a range of faith and lesbian, gay and bisexual (LGB) groups, the Government announced on 17 February 2011 its intention to remove the legal barrier to civil partnerships being registered on religious premises by implementing section 202 of the Equality Act 2010.
- 1.2 Making this change will allow those religious organisations that wish to do so to host civil partnership registrations on their religious premises. This voluntary provision is a positive step forward for both LGB rights and religious freedom.
- 1.3 The Government published a consultation document on 31 March 2011, seeking views on the practical arrangements necessary to implement this change. The consultation ran until June 23 2011. This document provides a summary of the responses received during the consultation.
- 1.4 1,617 responses to the consultation were received. Of these, 343 responses were on the official pro forma which addressed each question in turn and 1,274 were responses by email or letter. Of those submitting the official pro forma, 145 were from organisations and 198 from individuals.
- 1.5 All responses were gratefully received and individually considered by the Government Equalities Office.
- 1.6 A copy of the draft regulations to implement the proposals consulted on is included as part of this document and reflects the many useful and constructive responses received during the consultation period. These regulations will be laid before Parliament shortly so that they are able to come into force by the end of 2011, subject to the will of Parliament.

## **Background to section 202 of the Equality Act 2010**

- 1.7 During the passage of the Equality Bill in Parliament, section 202 was proposed as an amendment to the Bill. The clause was debated and voted on in both the House of Commons and the House of Lords and, on the basis of those votes, became a part of the Equality Act 2010.
- 1.8 Section 202 removes in England and Wales the specific ban in the Civil Partnership Act 2004 on civil partnerships being registered on religious premises. Section 202 was designed to be a permissive piece of legislation – its aim was to remove a legal barrier in order to support freedom of religion for those organisations which wish to host civil partnership registrations on their premises.
- 1.9 The voluntary nature of section 202 was at the heart of the proposals outlined in the consultation document. The proposals were designed to put in place a regime that enables faith groups to opt in, respects the different decision-making structures of different faith groups, protects faith groups and individual ministers from the risk of successful legal challenge if they do not wish to host civil partnership registrations, and is straightforward for local authorities to operate. The draft regulations, attached at Annex 1, uphold those aims.

1.10 There was some concern expressed during the consultation period, in particular by some faith groups, about the legal protections available to those who do not wish to apply to host civil partnership registrations on their premises. These concerns have been considered carefully in detail and the Government remains confident that there is protection from the risk of successful legal challenge. To avoid any doubts about the voluntary nature of the process they create, the regulations specifically reiterate the principle set out in section 202 that there is no obligation on a religious organisation to seek approval for its religious premises to host civil partnership registrations.

### Consultation process

1.11 The consultation asked 28 questions on a range of issues including:

- The proposed consent and application mechanisms
- Access to and restrictions on the use of buildings
- The conduct of the ceremony
- The approval process for religious premises
- The economic and equality impact assessments.

1.12 Responses have informed the drafting of the regulations and will inform the guidance for local authorities, faith groups and individuals which will support implementation of this provision. While it is not possible to transcribe and reference all the responses received, a summary of the key themes under each issue is provided in this document.

1.13 Responses from those who submitted their comments on the pro forma provided have been summarised where they were related to the question asked.

1.14 A large number of responses to the consultation were in the form of emails and letters from individuals. While these responses did not necessarily address the detailed questions posed in the consultation document, all these responses have been considered and are reflected in this document under the appropriate issue. The majority were from individuals, primarily from a faith perspective, providing their views on the principle of implementing section 202.

### Next steps

1.15 The Government has been clear in its intentions to implement section 202 of the Equality Act 2010. While the Government has noted that a large number of individuals responding opposed the principle of implementing section 202, it remains committed to taking this important step for religious freedom and LGB rights. The consultation focused on the practical arrangements necessary to implement section 202 in a way which preserves its voluntary nature.

- I.16 The draft regulations necessary to implement section 202 will be laid before Parliament to enable them to come into force by the end of 2011, subject to the will of Parliament. They will provide the framework to allow for civil partnerships to be registered on religious premises from early 2012.
- I.17 Having listened to stakeholders during the listening exercise on the next steps for civil partnerships, it was clear that there was a desire to move towards equal civil marriage. The Government has now committed to publishing a consultation document in March 2012 on equal civil marriage. This would allow any legislative changes to be made before the end of this Parliament.

## 2. Summary of responses

### Consent

#### Proposal in the consultation document

2.1 The consultation document proposed that:

- The applicant should be required to obtain the consent of the faith group which controls the use of the relevant premises. The consultation document set out how this applied to different faith groups with different structures.
- The application form should include the written consent of the relevant authority of the faith organisation or a signed declaration that no consent was necessary.

#### Responses to the consultation:

- 2.2 Nearly all respondents welcomed the proposals to require faith groups' consent before an application could be made to a local authority to approve religious premises. Respondents also confirmed support for the voluntary nature of the provision.
- 2.3 Some organisations that responded – both LGB and faith organisations – were concerned about how the local authority would determine who was the relevant authority to give the consent required, especially given the structural diversity of different faith groups.
- 2.4 Local authority registrars who responded requested clear guidance on the consent and approvals processes.
- 2.5 A few respondents suggested that the process should be an 'opt out' rather than an 'opt in' process.
- 2.6 There was some concern, primarily from individual responses, that local authorities would choose LGB rights above those of the faith groups. In addition, some felt that, while the proposals were currently permissive, the Government might change the proposals in the future to make the hosting of civil partnerships on religious premises compulsory for all faith groups.
- 2.7 Quite a number of organisational responses on this issue were from independent churches. The majority of their responses requested that the regulations should be clear to specifically cater for independent faith organisations, in particular that the regulations make clear who would be the relevant authorised person or body. The Fellowship of Independent Evangelical Churches in particular outlined that many evangelical churches have two sets of trustees – one set that manages the buildings and may not be connected to the congregation, and one that manages the congregation itself. Their concern was therefore about one set of trustees making an application without the other trustees' awareness or consent. In relation to this, some commented that the local authority should notify the local congregation once it has received a request to register particular premises.

- 2.8 Concern was expressed that local congregations who were under the jurisdiction of a central authority within their faith organisation would either:
- be stopped from applying for approval of their premises because of a decision by that central authority even though the local congregation would want to; or
  - be forced to register their premises because of a decision taken by that central authority, at odds with the view of the local congregation.

**Government response:**

- 2.9 The Government is content that the proposals contained in the consultation document provide a sensible process of consent that is sufficiently flexible to ensure that it allows for the differing structures of faith groups and provides local authorities with the information required to establish that they have the necessary consent to be able to consider the application. The onus is on the person who is applying for premises to be approved to prove that he or she has the necessary consent. The applicant will be required to include the written consent of the appropriate body of the faith organisation or a signed statement to the effect that no consent is required and provide the necessary supporting documentation. Local authorities will be provided with guidance which will help them to administer the process.
- 2.10 The Government also intends that the provision is one which faith groups will opt into, rather than out of. This ensures there is no presumption that faith groups will be supportive. It will require individual groups to take positive steps to apply for their premises to be approved.
- 2.11 It would not be for Government to determine how individual faith groups operate, nor should it be the function of local authorities to be involved in the internal discussions within a particular faith group. Therefore the regulations are clear that it is for a 'governing authority' of a faith group to determine whether their consent is required for any applications for their premises to be approved. In responding to the consultation, faith groups were asked whether they wished to have their governing authority specified in the regulations. Those that responded on this point are included in Schedule A1 to the draft regulations. However, it is not essential that faith groups' governing authorities are specified in Schedule A1 as the application process caters for those who do not have specified bodies in the regulations.
- 2.12 Those faith groups which specified a relevant authority have been named at Schedule A1 to the regulations. This includes bodies representing the Catholic Church, the Church in Wales, the Church of England, the Methodist Church and the Quakers. The General Assembly of Unitarian and Free Christian Churches, the Quakers and a number of independent churches and faith groups responded to make clear that the decision whether to seek approval for premises would be made in each local congregation.

- 2.13 Following concerns about ensuring that the local congregation is made aware of an application in respect of the premises they use for worship, we will make clear in guidance and on the application form that best practice is for the proprietors or trustees of the premises to make their congregation aware that they have applied e.g. by publishing a copy of the application form on a notice board within the premises that is accessible for the congregation to see. In addition, each application will be required to be advertised by a local authority and is subject to a period of 21 days public consultation, providing further safeguards against applications being made without the knowledge of the relevant congregation.

## Revocation of approval

### Proposal in the consultation document

- 2.14 The consultation document proposed that:
- Faith groups should be able to seek to revoke the approval of their premises should they choose to or should the status of their consent change.
  - Local authorities should have similar powers to revoke approvals as they do for secular approved premises and express provision would be included to require revocation where the required consents are withdrawn.

### Responses to the consultation:

- 2.15 The overwhelming majority of those who responded on this issue agreed that faith groups should be allowed to change their minds and seek a revocation of approval from the local authority.
- 2.16 There was also strong support for enabling faith groups to 'opt in' later if they don't immediately choose to do so when the regulations come into force.
- 2.17 Some local authorities which responded on this issue requested that it should be the responsibility of the relevant faith group to notify any couples due to have a civil partnership on the premises that revocation of approval of that particular premises had been sought.
- 2.18 Concerns were expressed about any potential time delays between a faith group notifying the local authority of its wish to revoke the approval and the local authority confirming that the approval had been formally revoked. Views were split between those wanting more than the 5 days proposed in the consultation document and those who sought reassurance that faith groups would be protected immediately once they had changed their mind.
- 2.19 There was overwhelming support for the ability for local authorities to revoke approvals.

2.20 In addition, the following points were made:

- That there should be an independent appeals process
- That the grounds on which revocations can be made are clear
- That civil partnerships which had been registered on premises which had been approved in error should be rendered void.

### **Government response:**

2.21 The Government has changed this proposal to ensure that the draft regulations specify:

- that an approval is revoked immediately where consent has been withdrawn.
- in cases where consent is to be withdrawn at a nominated date in the future, revocation of approval can be set for the particular day on which consent is to be withdrawn.
- provision is made in the regulations to cater for when the notification is received by a local authority on a non working day, such as at weekends or bank holidays.

2.22 The Government retains the view that it is the responsibility of the holder of an approval to notify any couples that were booked to register their civil partnership on their premises, that the approval has been revoked.

2.23 The Government believes it would be inappropriate to have a process for appealing the decision of the holder of an approval to ask the local authority to revoke the approval. Decisions about the wish for premises to be approved for the registration of civil partnerships are an internal matter for those associated with the premises.

## **Identification and definition of religious premises**

### **Proposal in the consultation document**

2.24 The consultation document proposed that religious premises where civil partnerships may be registered must be:

- Certified by the Registrar General as a place of meeting for religious worship; or
- Used for worship by and belong to the Church of England or the Church in Wales; or
- A meeting house of the Society of Friends or a Jewish synagogue.

### **Responses to the consultation:**

2.25 Few respondents provided comments on the issue of identification and definition of religious premises. The majority of those who did agreed with the proposals set out in the consultation document.

2.26 Some respondents sought clarity about:

- What will happen in cases where different faith groups share premises. For example, who can make the application for approval of the premises, what would happen in cases where faith groups sharing premises disagreed about whether or not to opt in and who has 'opted in' if only one of the religious organisations owns the building and the other groups are in a sharing agreement with that organisation.
- What will happen in cases where faith groups use premises which are used for other purposes e.g. school halls.

2.27 A small number of responses suggested that the eligibility of religious premises to be approved to host civil partnership registrations should be based on whether they are already registered for the solemnization of marriage.

### **Government response:**

2.28 The Government intends to proceed with the definitions of religious premises proposed in the consultation document, with a small number of technical changes to better reflect how the premises of the Church of England and Church in Wales are described.

2.29 The Government has considered the issue of shared religious premises and believes that where premises are shared they should only be capable of being approved for civil partnership registrations where all of the sharing faith groups agree that the premises could be used for this purpose. When applying to the local authority for approval, the applicant will be required to provide evidence that he or she has the necessary consent from the governing authority of each of the sharing churches.

### **Restrictions on use of premises**

#### **Proposal in the consultation document**

2.30 The consultation document proposed that:

- a faith group should have discretion about who they allow to hold a civil partnership registration on the faith group's religious premises on the basis of the couple's faith.

#### **Responses to the consultation:**

2.31 The vast majority of respondents agreed that faith groups should be able to refuse to allow a couple to register their civil partnership on their premises because of the couple's faith or membership of a particular faith group. However some respondents expressed concern that this discretion should not be wide enough to allow discrimination because of other factors.

### **Government response:**

2.32 The Government remains of the view that faith groups should have the discretion to only host civil partnership registrations for couples in accordance with the principles of the individual faith group.

### **Layout, symbols and availability of premises**

#### **Proposal in the consultation document:**

2.33 The consultation document proposed that:

- the premises should be required to be open to the public during the civil partnership registration.
- the requirements for layout and conditions e.g. restriction on the sale or consumption of food and drink in the room in which the registration is to take place for one hour prior to the registration are to be the same as for secular premises hosting civil marriage and civil partnerships.
- religious premises should be able to retain any religious symbols or iconography on the premises e.g. stained glass windows, religious works of art or furniture.

#### **Responses to the consultation:**

2.34 The majority of respondents agreed that the premises should be open to the public in the same way that premises are required to be for both religious marriages and secular premises hosting civil partnerships and civil marriages. However, some respondents felt that public access should not be required in cases where this could compromise security, for example where picketing or protest against civil partnerships on religious premises takes place.

2.35 Some faith organisations in particular requested that the regulations be as light touch and flexible as possible in relation to building requirements, in order to minimise burdens on those religious organisations that want to make use of the provision. Many commented that religious premises are often inherently different from secular premises in their size and layout.

2.36 The majority of faith organisations responding on this issue requested flexibility in the regulations on the restrictions relating to the consumption of food and drink for one hour before the ceremony, because food and drink play a part in some religious services.

2.37 Given the impracticalities of removing symbols, decorations and objects, respondents were in agreement that these should remain in place during the formation of the civil partnership.

## **Government response:**

- 2.38 The Government acknowledges that the particular circumstances of religious premises and faith groups may make adhering to all of the requirements relating to secular premises problematic. However, the Government's aim is to mirror as far as possible the requirements which secular premises need to meet for civil partnership registrations, in order to ensure that the secular process of civil partnership registration is consistent, irrespective of where the registration is held. Many of the requirements are in place to ensure that the solemnity and dignity of the occasion is maintained.
- 2.39 The draft regulations remove some of the proposed burdens in this area. In particular, they will allow for the consumption of non-alcoholic drinks in the room in which the registration is to take place within the hour prior to the civil partnership registration. This flexibility will also be introduced for secular premises and civil marriage. Where alcohol forms part of a religious service, additional flexibility has been introduced to enable alcohol to be consumed within the hour before the civil partnership registration.

## **Conduct of the ceremony**

### **Proposal in the consultation document**

- 2.40 The consultation document proposed that the order in which any religious element and the civil partnership registration takes place should be decided between the couple, the minister of religion and the registrar, but that the general expectation would be for any religious element to happen after the civil partnership registration has taken place.

### **Responses to the consultation:**

- 2.41 The majority of comments on this issue focused on the need to keep the distinction clear between the secular and religious elements. However, we also received responses :
- opposing the principle of civil partnerships being registered on religious premises. The vast majority of individuals responding by letter or email focused on this as a concern; and
  - expressing concern that retaining the ban on religious elements during the formation of the civil partnership would be too restrictive. Some suggested that section 202 should be scrapped and new legislation introduced to equalise marriage.
- 2.42 The registrars who responded on this issue recommended that any religious element should take place only after the civil partnership has been formed.
- 2.43 However, the majority of responses – both from those who wish to make use of the provision and those who do not – focused on the need to provide flexibility for the couple, registrar and faith group to decide when any religious element should take place. Some responses expressed the clear view that it is not the role of Government to regulate the timing of these elements.

### **Government response:**

2.44 The Government has decided that the draft regulations should not prescribe when any religious service can take place. However, the Government recognises that there is a need to ensure a clear break between any religious service and the secular civil partnership registration. Guidance will be produced by the Registrar General for England and Wales to ensure that registrars, couples and ministers of religion can decide how to manage each registration.

### **Process for applying for approval of premises**

#### **Proposal in the consultation document:**

2.45 The consultation document proposed that the process for applying to approve religious premises mirrors as far as possible the process for applying to approve secular buildings for civil partnerships and civil marriages. This would involve an application being made in writing to the local authority, requiring the application to be advertised in a local newspaper and a 21-day period for objections to be lodged. If an application is refused, the local authority must provide reasons for the decision.

#### **Responses to the consultation:**

2.46 There were a number of comments on publicising applications:

- Some, in particular the Evangelical Alliance, Christian Institute and Fellowship of Independent Evangelical Churches, felt that the proposed advertising process was not sufficient. Suggestions included imposing requirements to notify the congregation within 24 hours that an application has been made, to circulate the application to all trustees of the church in question, and to notify local congregations in the vicinity of the premises under consideration that an application had been made for those particular premises.
- Currently, applications for approval of premises are required to be published only in local newspapers, but some respondents suggested that applications should also be published online to make them more accessible.
- Some respondents suggested that guidance should be given to the public setting out the basis on which an objection to an application for approval of premises can be made.
- Other comments from LGB religious organisations, some registrars, and individuals suggested that the process for approving religious premises should not mirror that for secular premises because they are run differently and for different purposes – for example, some religious buildings may not be able to meet the same health and safety requirements as secular, commercial premises due to cost restrictions. These comments recommended that if a building is already registered for the solemnization of religious marriage, then approval to host civil partnership registrations should be automatically extended if the faith organisation so wishes. However, the majority of registrar and local authority responses stressed the need for the process to match that for the approval of secular premises.

## **Government response:**

- 2.47 The Government still intends to mirror as much as possible the process for the approval of secular premises. This process is established, is already used for all other premises that apply to be approved for civil marriage or civil partnerships, requires public consultation and allows local authorities to recover their reasonable costs. However, the Government will introduce some flexibility into the process, with the aim of allowing local authorities to vary their administrative processes and therefore reduce costs:
- Local authorities will be able to advertise the application on the internet, or in a newspaper. This flexibility will also apply to secular premises;
  - Local authorities may choose not to inspect religious premises, for instance but not only when marriages are already solemnized there; and
  - the validity period of an approval may extend beyond the current limit of three years. This flexibility will also apply to secular premises.
- 2.48 The Registrar General's guidance will cover the process for objections. However, the regulations will not specify particular grounds for objection as it would not be possible to cover every potential scenario. The objection process will be administered by each local authority, as it currently is for secular premises.
- 2.49 As mentioned above, we will also make clear in guidance and on the application form that best practice is for the proprietors or trustees of the premises to make their congregation aware that they have applied.

## **Fees**

### **Proposal in the consultation document:**

- 2.50 The consultation document proposed that:
- any applicant making an application for the approval of religious premises will be charged a fee, as is currently the case for applicants wanting their secular premises to be approved for civil marriage and civil partnerships.

### **Responses to the consultation:**

- 2.51 Most of those responding to this question recognised the need for local authorities to operate on a cost recovery basis when setting fees, but stressed the need for fees to be proportionate. The majority were concerned that if fees charged by local authorities are too high, those religious organisations which want to make use of the provision will be unable to do so because the cost would be a deterrent. Some made the point that religious premises are often owned by charitable religious institutions with no funds to afford high fees and limited means to recoup the money as commercial premises can do by charging for food and drink. Suggestions included:

- the fees for approving religious premises for civil partnership registrations should be the same as those charged under the Marriage Act 1949 for the registration of religious buildings for the solemnization of religious marriage.
- from registrars and local authorities, that fees should be determined on a cost recovery basis and should be determined at local authority level.
- A small minority recommended that fees be set at a high figure in order to deter couples and religious organisations from hosting civil partnerships on religious premises.

### **Government response:**

2.52 The Government recognises that there is a significant range of views on this subject. It considers it essential that the introduction of this permissive process should not place an unfunded burden on local authorities and therefore taxpayers. However, it also recognises that if fees are too high they may deter faith groups who wish to from making an application.

2.53 The draft regulations therefore seek to balance these perspectives by introducing greater flexibility into the approvals process, as set out at paragraph 2.47 above. This should allow local authorities to reduce their costs and reflect the reduction in the fees they charge, as they are only able to recover their costs of administering the application process.

### **Administrative/local authority processes**

#### **Proposals in the consultation document**

2.54 The consultation document proposed that:

- a list of approved religious premises be incorporated into the existing lists held and maintained by local authorities.
- guidance will be produced by the Registrar General for England and Wales on the administrative process to be followed that can be used by local authorities, registrars, citizens and faith groups.

#### **Responses to the consultation:**

2.55 Most respondents agreed that a list of those religious premises which have been approved to host civil partnerships would be useful for couples. However, some concerns were expressed that a public list could cause security issues for those which haven't opted in.

2.56 Views on who should maintain the list were divided between those, including Stonewall, who suggested that the local authority should maintain the register and those who felt it should be maintained centrally by the Registrar General.

2.57 The majority of respondents supported the proposal to produce guidance and training for local authorities and registrars, in particular:

- on how to ensure that the distinction is clear between the civil and religious ceremonies, and
- providing information on different faith organisations.

2.58 It was also suggested that the guidance should be available on a website, accessible to all.

### **Government response:**

2.59 The Government will ensure through the established processes operated by local authorities and the General Register Office for England and Wales, that religious premises approved for civil partnership registrations are included in the lists of all premises approved for civil marriage or civil partnerships. These lists are made available to the public by each local authority, in many instances through the local authority's website.

2.60 As mentioned elsewhere in this document, the Registrar General for England and Wales will produce guidance on the administrative process to be followed that can be used by local authorities, registrars, citizens and faith groups.

## **Appointing ministers of religion as civil partnership registrars**

### **Proposals in the consultation document:**

2.61 The consultation document proposed that:

- individual local authorities will need to decide whether to designate a minister of religion for a faith group with an approved premises as a civil partnership registrar, under their existing powers.

### **Responses to the consultation:**

2.62 The majority of respondents to this question were registrars. Many of them commented that they found the idea of designating a minister of religion as a civil partnership registrar problematic because of concerns:

- about ensuring the electronic records systems are updated following a civil partnership registration that was conducted by a minister of religion appointed to be a registrar;
- about a potential conflict of interest;
- about blurring boundaries between the secular process and any religious element;
- that designating ministers of religion as civil partnership registrars is prohibited by legislation.

2.63 However, those who want to make use of the provision, in particular the Quakers made clear their strong wish to act as civil partnership registrars as they are currently appointed to solemnize marriages. Most of those who were in favour of ministers of religion being able to

be designated as civil partnership registrars asked that designations should be made from the centre by the Registrar General, rather than at the discretion of local authorities.

### **Government response:**

- 2.64 The Government does not intend to change the current provision by regulating in this area. It is the responsibility of individual local authorities to designate civil partnership registrars. They can, if they wish, designate people who are not employees of the local authority. This will be made clear in the guidance that is published. If a faith group wants to explore whether its ministers could be designated to conduct civil partnerships, it should discuss this with the local authority.
- 2.65 It will be made clear in the Registrar General's guidance for local authority registrars that they have power to designate ministers of religion as civil partnership registrars and that this is not contrary to the Civil Partnership Act 2004. The guidance will also make clear that this provision is for civil partnerships only.

### **Legal protection**

#### **Proposal in the consultation document**

- 2.66 The consultation document proposed that:
- no faith group will be obliged to consent to allowing civil partnerships to be registered on its religious premises and no faith group or minister of religion will be obliged to apply to the local authority for premises to be approved for this purpose.

#### **Responses to the consultation:**

- 2.67 The majority of respondents to this question were faith organisations or individuals responding from a faith perspective.
- 2.68 The majority of responses focused on concerns that the legal protection proposed in the consultation would not be sufficient for those religious organisations which chose not to give consent for their premises to be approved. Many of those responding were concerned that such organisations were at risk of being successfully sued, which could result in a precedent being set to compel other organisations to apply for approval of their premises. Concern was also expressed about the cost associated with any legal action. Some suggestions to address these concerns included:
- a 'legislative guarantee' to protect against legal action being taken against those religious organisations which choose not to apply for approval of their premises. The Evangelical Alliance suggested a form of wording which could be included in the legislation: 'Nothing in this Act is intended to make it possible for a case which challenges the right not to opt in to holding civil partnership ceremonies on religious premises to succeed.'

- a ‘statutory declaration’ that no public authority should require a religious organisation to register its premises for civil partnerships if registering its premises for the solemnization of religious marriage.

- 2.69 There was a general concern that religious organisations could be challenged under the Equality Act 2010 (particularly as a result of the public sector Equality Duty) or human rights legislation to force those who choose not to opt in to apply for approval of their premises. This concern formed the basis of the majority of the general comments that were received by email and letter during the consultation period.
- 2.70 As already mentioned under the section on ‘consent’ there was particular concern from independent evangelical churches because of the organisational structure of their churches. Congregations are often managed by one set of trustees and the building which the congregation makes use of is often controlled by a separate set of trustees, who are not necessarily linked to the congregation. The respondents from this perspective were primarily concerned that the congregation should be involved and made aware of any application made in respect of the premises used by them.
- 2.71 The majority of registrars, local authorities and LGB organisations who responded on this issue felt that the protections as outlined in the consultation document are sufficient to protect those religious organisations who chose not to apply for approval of their premises.
- 2.72 A large number of the faith organisations and some individual responses also suggested that registrars should not be required to conduct civil partnerships on religious premises if they objected to the principle, and should be able to object on conscientious grounds.

### **Government response:**

- 2.73 The proposals set out in the consultation document and the draft regulations reflect the entirely voluntary nature of this regime. The Government has carefully considered the concerns raised about potential legal challenges and remains confident that the proposals provide protection from the risk of successful legal challenge.
- 2.74 The draft regulations set out clearly that an application for approval can only be made with the consent of the appropriate, authorised body of the faith group concerned. Faith groups are able to have their nominated, authorised body or bodies listed in the Schedule to the regulations. Whether to give consent and whether to apply for individual premises to be approved is a matter for the faith organisation and the owner or trustee of the premises. To avoid any doubts about the voluntary nature of the process they create, the regulations specifically reiterate the principle set out in section 202 that there is no obligation on a religious organisation to seek approval for its religious premises to host civil partnership registrations.

## Impact Assessment

### Proposals in the consultation document

2.75 The consultation document sought evidence from respondents on:

- the number of people who might want to register their civil partnership on religious premises.
- whether there were any particular congregations which would wish to seek approval of their premises.
- whether respondents could provide examples of any costs and benefits not already addressed in the initial Impact Assessment

### Responses to the consultation:

2.76 Few respondents were able to provide detailed information on the expected take-up by couples of civil partnerships on religious premises. Respondents' estimates ranged from one a year on each premises to five or six a year on each premises, based on the number of couples who currently seek a religious blessing following their civil partnership.

2.77 The organisations below specifically stated as part of their consultation response that they would consider applying for approval of their religious premises for the registration of civil partnerships:

- North West London Area Quaker meeting and the Brighouse West Yorkshire Area Meeting .
- The General Assembly of Unitarian and Free Christian Churches noted its support for opting in (although noting that each Unitarian congregation is independent and therefore would make the decision itself).
- Liberal Judaism was supportive but has no particular premises.
- Metropolitan Church of Bournemouth.
- Quakers in Britain noted that Quakers as a whole were in favour but it would be for each meeting to decide whether to apply to approve their premises.
- Liberty Church, Blackpool.
- Some congregations of the United Reform Church are likely to opt in, although the numbers are unknown.

2.78 Although few respondents commented on the economic costs and benefits of the proposals, those who did – mainly individuals, independent churches and LGB organisations – argued that this issue is not about economics and therefore it is inappropriate to consider a cost-benefit analysis. Instead, many commented that the policy would have either social costs (by, in their view, undermining marriage) or social benefits (by helping to create a more equal and inclusive society).

2.79 Some of the faith organisations which responded suggested that the assessment of costs and benefits should include consideration of potential legal costs which independent churches might face in any legal challenge.

**Government response:**

2.80 This information has been taken into account and used when revising the Impact Assessment. The final version is attached at Annex 2.

**Equality Impact Assessment**

**Proposal in the consultation document:**

2.81 Views were sought on whether the initial Equality Impact Assessment properly assessed the implications for people with a protected characteristic.

**Responses to the consultation:**

2.82 Several comments were provided on the analysis made in the initial Equality Impact Assessment:

- the section on religion and belief should refer to the impact on those with a non-religious belief;
- the assessment should reflect that high fees would constrain the religious freedom of those groups which do want to opt in;
- the initial Equality Impact Assessment did not adequately address the ‘do nothing option’;
- the initial Equality Impact Assessment did not adequately cover the impact on transgender individuals;
- allowing civil partnerships to be registered on religious premises would not address the continued inequality for same-sex couples seeking a marriage and would perpetuate and worsen existing inequalities by maintaining two separate provisions in law; and
- the proposals were ‘discriminatory’ toward opposite-sex couples, who would not be able to have a civil marriage on religious premises.

**Government response:**

2.83 This information has been taken into account and used when revising the Impact Assessment. The final version is attached at Annex 3.

## Questions asked as part of the consultation

**Question 1:** Do you have any comments on our proposals for requiring faith groups' consent for an application to a local authority for a religious premises to be used for the registration of civil partnerships?

**Question 2:** Do you have any comments on the three ways in which decisions can be taken about allowing civil partnerships to be registered on religious premises? Do they cover the circumstances of all faith groups?

**Question 3:** Would your faith group want to have a specified body or person to take the decision whether or not to consent to civil partnership registrations on its premises? If so, what or who could this body or person be?

**Question 4:** Do you have any comments on our proposals for ensuring that faith groups' consent is demonstrated in an application to the local authority for a religious premises to be approved as a place where civil partnerships may be registered?

**Question 5:** Do you agree that, taken together, the arrangements we propose will prevent religious premises being approved as places where civil partnerships may be registered if the faith group concerned has not consented to it?

**Question 6:** Do you have any comments on our proposals for enabling faith groups that had given consent to reverse that decision?

**Question 7:** Do the arrangements proposed above cover all the premises which meet the definition of religious premises in the Civil Partnership Act 2004? If not, what types of religious premises are excluded?

**Question 8:** Do you have any other comments on our proposals for identifying religious premises that may be approved for hosting the registration of civil partnerships?

**Question 9:** Do you agree with our proposals for enabling faith groups to decide who should be able to register civil partnerships on their premises? Do you believe further safeguards might be needed? If so, what might these be?

**Question 10:** Do you agree that religious premises should be open to the public while a civil partnership is registered?

**Question 11:** Do you agree that religious premises should be subject to the same conditions that apply to secular approved premises about the layout of the building and the use of the room in which the civil partnership is registered before the registration takes place?

**Question 12:** Might the requirements cause difficulties for particular faith groups that wish to opt in to the measure? How might these be resolved?

**Question 13:** Do you agree that religious premises should be able to keep their religious symbols, decorations and objects in place while civil partnerships are registered?

**Question 14:** Do you agree with our proposals for arrangements for religious services following civil partnership registrations?

**Question 15:** Do you agree with our proposals for the process for applying for a religious premises to be approved for civil partnership registrations?

**Question 16:** What fee might need to be charged to enable local authorities to cover their costs?

**Question 17:** Do you agree that the local authority should be able to revoke the approval of a religious premises that ceases to meet the conditions on which it was granted?

**Question 18:** Do you have any comments on the proposals for keeping records of the location of religious approved premises?

**Question 19:** Do you have any comments on the proposals for training and guidance?

**Question 20:** Are there other administrative issues for which special arrangements may be required for religious premises? What might these arrangements be?

**Question 21:** Do you have any other points or issues you wish to raise about enabling civil partnerships to be registered on the premises of faith groups that permit this?

**Question 22:** Does this approach sufficiently protect faith groups and ministers of religion, or is additional protection needed?

**Question 23:** Can you provide any evidence of the number of individuals in England and Wales who might wish to register their civil partnership on religious premises each year?

**Question 24:** Can you suggest whether or not specific religious premises, congregations or denominations will seek to make use of this provision? If you are responding on behalf of a faith group, is your faith group likely to allow civil partnerships to be registered on its premises?

**Question 25:** Can you provide any additional evidence of the possible costs religious premises will incur when hosting a civil partnership registration, in addition to those discussed in the Impact Assessment?

**Question 26:** Can you provide any further data or examples of costs and benefits which have not already been included in the Impact Assessment? Do you have any comments on the assumptions, approach or estimates we have used?

**Question 27:** Can you provide any further information or views to help us calculate the economic benefits of this measure?

**Question 28:** Does the Equality Impact Assessment properly assess the implications for people with each of the protected characteristics? If not, please explain why.

# Annex I – Draft regulations

**2011 No.**

**REGISTRATION OF BIRTHS, DEATHS, MARRIAGES,  
ETC, ENGLAND AND WALES**

**CIVIL PARTNERSHIP, ENGLAND AND WALES**

**The Marriages and Civil Partnerships (Approved Premises)  
(Amendment) Regulations 2011**

<i>Made</i> - - - -	<i>November 2011</i>
<i>Laid before Parliament</i>	<i>November 2011</i>
<i>Coming into force</i> - -	<i>December 2011</i>

The Secretary of State, in exercise of the powers conferred by sections 6A and 258(2) and (3) of the Civil Partnership Act 2004(a) and section 46A of the Marriage Act 1949(b), makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Marriages and Civil Partnerships (Approved Premises) (Amendment) Regulations 2011.

(2) They come into force on 5th December 2011.

(3) In these Regulations the “2005 Regulations” means the Marriages and Civil Partnerships (Approved Premises) Regulations 2005(c).

(4) Subject to regulation 3, these Regulations apply to an application for approval received by an authority on or after the day on which they come into force.

(5) In paragraph (4) “application for approval” and “authority” have the same meaning as in the 2005 Regulations.

**Amendments to the 2005 Regulations**

2.—(1) The 2005 Regulations are amended as follows.

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(a) 2004 c. 33; section 6A was inserted by article 3 of, and paragraph 3 of the Schedule to, the Civil Partnership (Amendments to Registration Provisions) Order 2005 (S.I. 2005/2000) and was amended by section 202 of the Equality Act 2010 (c. 15); the functions previously conferred on the Chancellor of the Exchequer in subsection (1) were transferred to the Secretary of State by article 3 of, and paragraph 14 of Schedule 1 to, the Transfer of Functions (Registration) Order 2008 (S.I. 2008/678).

(b) 1949 c. 76; section 46A was inserted by section 1 of the Marriage Act 1994 (c. 34); subsection (3) was amended by section 3 of the City of London (Approved Premises for Marriage) Act 1996 (c. 4); and functions previously conferred on the Chancellor of the Exchequer in subsection (1) were transferred to the Secretary of State by article 3 of, and paragraph 5 of Schedule 1 to, S.I. 2008/678.

(c) S.I. 2005/3168.

- (2) Amend regulation 2 (interpretation) as follows—
- (a) in paragraph (1)—
- (i) after the entry for “the 1949 Act” insert—
- ““the 1969 Act” means the Sharing of Church Buildings Act 1969(a);”;
- (ii) in the entry for “approval” after “means” insert “, subject to paragraph (1A),”;
- (iii) in the entry for “qualification” after “Schedule 2” insert “or paragraph 1 of Schedule 2A (as the case may be)”;
- (iv) after the entry for “qualification” omit “and” and insert—
- ““required consent” means a consent given in accordance with regulation 2D and includes, unless the context otherwise requires, the signed statement that consent is not required;
- “religious premises” means premises that are religious premises within the meaning of section 6A(3C) of the 2004 Act(b);”;
- (v) in the entry for “responsible person” after “Schedule 2” insert “or paragraph 1 of Schedule 2A (as the case may be)”;
- (vi) after the entry for “responsible person” insert—
- “; “sharing agreement” means an agreement between two or more Churches (“the sharing Churches”) to share church buildings under the 1969 Act; and
- “shared building” means religious premises used within the meaning of section 6(4) of the 1969 Act and a reference in these Regulations to a shared building being used is a reference to it being used within the meaning of that section of that Act”;
- (b) after paragraph (1) insert—
- “(1A) Where an application for approval is made in respect of religious premises “approval” and “approved premises” mean approval of premises as a place at which two people may register as civil partners of each other in pursuance of section 6(3A)(a)(c) of the 2004 Act.
- (1B) A reference in these Regulations to a church or chapel of the Church of England or the Church in Wales includes—
- (a) a church or chapel to which a sharing agreement relates (whether or not it is in the sole ownership of the Church of England or the Church in Wales (as the case may be));
- (b) a church or chapel which is a shared building;
- (c) a cathedral church.”.
- (3) After regulation 2 insert—

**“Church of England: faculty jurisdiction**

**2A.** In relation to a church or chapel of the Church of England, nothing in these Regulations is intended to oust the faculty jurisdiction.

**Religious premises: no obligation to make an application for approval**

**2B.** Nothing in these Regulations places an obligation on a proprietor or trustee of religious premises to make an application for approval of those premises as a place at which

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(a) 1969 c. 38; amendments made to this Act are not relevant to these Regulations.

(b) Section 202(2) of the Equality Act 2010 (c. 15) omitted the definition of religious premises in section 6(2). The definition – which is in the same terms – is now contained in section 6A(3C) as inserted by section 202(4) of the Equality Act.

(c) 2004 (c. 33); subsections (3), (3A) and (3B) were substituted for subsection (3) as originally enacted by article 3 of, and paragraph 2 of the Schedule to, S.I. 2005/2000.

two people may register as civil partners of each other in pursuance of section 6(3A)(a) of the 2004 Act.

### **Kinds of premises: overview**

**2C.**—(1) An application for approval of premises for the solemnization of marriages may only be made in respect of premises that are not religious premises.

(2) An application for approval of premises as a place at which two people may register as civil partners of each other in pursuance of section 6(3A)(a) of the 2004 Act may be made in respect of premises that are not religious premises or premises that are religious premises.

(3) An application for approval made in respect of premises that are not religious premises must be made in accordance with regulation 3.

(4) An application for approval made in respect of religious premises must be made in accordance with regulation 3A.

(5) An application for approval made in respect of religious premises to which a sharing agreement relates or in respect of a shared building must be made in accordance with regulation 3B.

### **Required consents: religious premises**

**2D.**—(1) This regulation makes provision for the consent that may be required to make an application for approval of religious premises.

(2) An application made in respect of religious premises of a description specified in the first column of the table in Schedule A1 (“the table”) may only be made with the consent in writing of the person specified, or a person of the description specified, in the corresponding second column.

(3) An application made in respect of religious premises not of a description specified in the table may only be made with the consent in writing of the governing authority of the religious organisation for whose religious purposes the premises are used.

(4) Except that consent is not required in respect of religious premises where—

- (a) the premises are of a description specified in the first column of the table and it is indicated in the corresponding third column that consent is not required;
- (b) the premises are not of a description specified in the table and the governing authority of the religious organisation for whose religious purposes the premises are used has determined that its consent is not required.

(5) In the circumstances described in paragraph (4), the application must include a statement to the effect that consent is not required.

(6) The statement mentioned in paragraph (5) must be followed by the words “*This statement is true to the best of my knowledge and belief*” and must be signed by the applicant.

(7) In this regulation—

- (a) a reference to “consent” is a reference to a consent which is general or specific; and
- (b) a reference to the “governing authority” of a religious organisation is a reference to the person or persons recognised by the members of that organisation as competent for the purpose of giving consent under these Regulations.

(8) In relation to premises which are—

- (a) of more than one description specified in the table; or
- (b) used for the religious purposes of more than one religious organisation (not being one mentioned in the table); or

- (c) both of a description (or more than one description) specified in the table and used for the religious purposes of a religious organisation (or more than one religious organisation) (not being one mentioned in the table),

the reference to consent is a reference to the consent of each applicable person specified in the table or the governing authority of each applicable religious organisation, or both.

(9) Paragraph (8) does not apply to religious premises to which a sharing agreement relates or to shared buildings.”.

(4) In regulation 3 (application procedure) in the heading, at the end insert “: premises that are not religious premises”.

(5) After regulation 3 insert—

#### **“Application procedure: religious premises**

**3A.**—(1) An application for approval may be made by a proprietor or trustee of religious premises.

(2) The applicant must deliver to the proper officer of the authority—

- (a) an application in writing, including the name and address of the applicant and such other information concerning the requirements set out in Schedule 1A as the authority may have reasonably required;
- (b) a plan of the premises which clearly identifies the room or rooms in which the proceedings will take place if approval is granted;
- (c) the required consent (or in the case of premises within the meaning of regulation 2D(8), each of the required consents); and
- (d) if the authority so requires, a fee, or an amount on account of that fee, determined in accordance with regulation 12.

(3) The applicant must provide the authority with such additional information as it may reasonably require in order to determine the application.

(4) Subject to paragraph (5), as soon as practicable after receiving the application, the authority must arrange for the premises to be inspected.

(5) If the authority considers that it is not necessary for the premises to be inspected (because for example they are premises where marriages may be solemnized in accordance with the 1949 Act<sup>(a)</sup>), it may dispense with the requirement to do so.

#### **Application procedure: shared church or other buildings**

**3B.**—(1) This regulation applies where an application for approval is made in respect of religious premises to which a sharing agreement relates.

(2) This regulation also applies where an application for approval is made in respect of a shared building.

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(a) 1949 c. 76; parts 2 and 3 of this Act make provision for the solemnization of both religious and civil marriage. In particular, and in relation to religious marriage, sections 5 to 21 make provision for marriage according to the rites of the Church of England and the Church in Wales; section 41 for marriages in registered buildings; section 47 for marriages according to the usages of the Society of Friends; and by virtue of section 26 marriages may also be solemnized according to the usages of the Jews. Amendments have been made to part 2 but they are not relevant to these Regulations. Relevant amendments made to part 3 are as follows: section 41(1) (registration of buildings) was amended, and subsection (7) substituted, by section 1 of the Marriage (Registration of Buildings) Act 1990 (c. 33), subsection (2) was substituted by section 1 of the Marriage Acts Amendment Act 1958 (c. 29) (“1958 Act”), subsection (3A) was inserted by article 8 of the Registration of Marriages (Electronic Communications and Electronic Storage) Order 2009 (S.I. 2009/2821), the sum in subsection (6) was substituted by article 2 of, and the Schedule to, the Registration of Births, Deaths and Marriages (Fees) Order 1997 (S.I. 1997/2939) and confirmed by article 2 of, and the Schedule to, the Registration of Births, Deaths and Marriages (Fees) Order 2010 (S.I. 2010/441); section 42 (cancellation of registration) was amended by section 1 of the 1958 Act.

(3) Subject to paragraphs (4) and (5), an application under this regulation must comply with the requirements set out in regulation 3A.

(4) An application mentioned in paragraph (1) must include the required consent in respect of each of the sharing Churches.

(5) An application mentioned in paragraph (2) must include the required consent in respect of each of the Churches that uses the shared building.”.

(6) Amend regulation 4 (public consultation) as follows—

(a) for paragraph (1) substitute—

“(1) As soon as practicable after receiving an application the authority must—

(a) make the application, the plan accompanying it and, if applicable, the required consent, available to members of the public for inspection at all reasonable hours during the working day until such time as the application has been fully determined or withdrawn; and

(b) give public notice of the application in accordance with paragraphs (1A) and (2).

(1A) The notice must be published—

(a) in a newspaper (which may be a newspaper distributed free of charge) which is in general circulation at intervals of not more than one week in the area in which the premises are situated; or

(b) on the authority’s website (in which case it must include the date of publication), and may also be published in such other ways as the authority considers necessary.”;

(b) in paragraph (2)—

(i) in sub-paragraph (b) for “the application and the plan accompanying it” substitute “the application, the plan accompanying it and, if applicable, the required consent”;

(ii) for sub-paragraph (c) substitute—

“(c) state that any person may give notice in writing of an objection to the grant of approval, with reasons for the objection, within 21 days from the date on which the notice is published in the newspaper or on the authority’s website (as the case may be); and”.

(7) Amend regulation 5 (grant or refusal of approval) as follows—

(a) in paragraph (1) after “approval” insert “of premises that are not religious premises”;

(b) after paragraph (1) insert—

“(1A) The authority may grant approval of religious premises only if it is satisfied that—

(a) the application has been made in accordance with these Regulations;

(b) the premises are religious premises of the type described in paragraph (1B);

(c) the premises fulfil the requirements set out in Schedule 1A;

(d) the premises fulfil any other reasonable requirements which the authority considers appropriate to ensure that the facilities provided at the premises are suitable.

(1B) Religious premises must be—

(a) a church or chapel of the Church of England;

(b) a church or chapel of the Church in Wales;

(c) a place of meeting for religious worship included in the list of certified places maintained by the Registrar General under section 7 of the Places of Worship Registration Act 1855(a);

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(a) 1855 c. 81; section 7 was amended by section 1 of, and the Schedule to, the Statute Law Revision Act 1892 (c. 19); article 4 of, and Schedule 2 to, the Registration of Births, Deaths and Marriages (Fees) Order 1968 ( S.I. 1968/1242); and articles 3 and 5 of the Transfer of Functions (Registration) Order 2008 ( S.I. 2008/678), which transferred the functions in section 7 from the Chancellor of the Exchequer to the Secretary of State.

- (d) a place of meeting for members of the Society of Friends; or
  - (e) a Jewish synagogue.
- (1C) The reference in paragraph (1B)(c) to a place of meeting for religious worship included in the list of certified places maintained by the Registrar General includes—
- (a) religious premises to which a sharing agreement relates and which are registered as a place of meeting for religious worship of any Church sharing the premises (other than the Church of England or the Church in Wales); and
  - (b) a shared building which is registered as a place of meeting for religious worship of any Church using the building (other than the Church of England or the Church in Wales).”;
- (c) in paragraph (2) after “paragraph (1)” insert “or (1A) (as the case may be)”;
  - (d) in paragraph (4) after “Schedule 2” insert “or Schedule 2A (as the case may be)”;
  - (e) in paragraph (5) after “Schedule 2” insert “or Schedule 2A (as the case may be)”.
- (8) Amend regulation 6 (conditions) as follows—
- (a) in paragraph (1)(a) after “approval” insert “of premises that are not religious premises”;
  - (b) after paragraph (1)(a) insert—
    - “(aa) shall attach to the approval of religious premises the standard conditions contained in Schedule 2A.”;
  - (c) in paragraph (1)(b) after “the approval” insert “in sub-paragraph (a) or the approval in sub-paragraph (aa)” .
- (9) Amend regulation 7 (expiry and renewal of approval) as follows—
- (a) for paragraph (1) substitute—
    - “(1) Subject to paragraphs (5) and (6) and to regulations 8 and 8A, an approval is to be valid for such period, being not less than three years, as the authority may determine.”;
  - (b) after paragraph (2) insert—
    - “(2A) Without prejudice to the provisions of these Regulations as to the duration or revocation of an approval—
    - (a) where—
      - (i) religious premises to which a sharing agreement relates have been approved;
      - (ii) one of the sharing Churches withdraws from the sharing agreement; but
      - (iii) the religious premises continue to be used by the other sharing Church (or Churches); or
    - (b) where—
      - (i) a shared building has been approved;
      - (ii) one of the Churches that uses the shared building ceases to do so; but
      - (iii) the building continues to be used by the other Church (or Churches),
 the approval remains in force.”;
  - (c) in paragraph (4) after “3(2) to (4)” insert “, or 3A(2) to (5) (as the case may be),”.
- (10) Amend regulation 8 (revocation of approval) as follows—
- (a) in paragraph (1) —
    - (i) after “this regulation” insert “and without prejudice to regulation 8A”;
    - (ii) in sub-paragraph (b)—
      - (aa) after “Schedule 1” insert “or Schedule 1A (as the case may be)”, and
      - (bb) after “regulation 5(1)(c)” insert “or 5(1A)(d) (as the case may be)”;
  - (b) in paragraph (3) before “The authority” insert “Subject to paragraph (3A),”;
  - (c) after paragraph (3) insert—

“(3A) Where the authority proposes to revoke an approval of religious premises, it need not deliver a copy of the notice mentioned in paragraph (2) to the superintendant registrar for the district in which the premises are situated.”.

(11) After regulation 8 insert—

**“Revocation of approval: withdrawal of required consent**

**8A.**—(1) An authority that has granted an approval of religious premises must revoke that approval if it is notified by the holder that—

- (a) a required consent in respect of the approved premises has been or will be withdrawn; or
- (b) in respect of premises that did not previously require it, consent is now or will be required.

(2) Where paragraph (1)(a) applies, the authority must immediately revoke the approval to take effect on the day following that on which it received the notification or on the day on which consent will be withdrawn, whichever is later.

(3) Subject to paragraphs (4) and (5), where paragraph (1)(b) applies, the authority must immediately revoke the approval to take effect on the day following that on which it received the notification or on the day from which consent will be required, whichever is later.

(4) The authority need not revoke the approval mentioned in paragraph (3) if the holder includes the required consent with his or her notification.

(5) The authority may cancel the revocation mentioned in paragraph (3) if, prior to it taking effect, the authority is provided with the required consent.

(6) Immediately after revoking an approval under paragraph (2) or (3) the authority must deliver a notice of revocation to the holder of the approval.

(7) The notice mentioned in paragraph (6) must—

- (a) be in writing; and
- (b) specify the date on which the revocation takes effect.

(8) If the authority cancels a revocation in accordance with paragraph (5) it must immediately deliver a notice of cancellation in writing to the holder of the approval.

(9) Upon receipt of the notice mentioned in paragraph (6) the holder of the approval must give notice of the revocation to all the parties who have made arrangements for the formation of their civil partnerships to take place on those premises on or after the day on which the revocation takes effect.

(10) Where an authority receives notification under paragraph (1) on a day that is not a working day it is to be taken to have been received for the purposes of this regulation on the next day that is a working day.

(11) In this regulation “working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday under the Banking and Financial Dealings Act 1971(a) in England and Wales.

(12) This regulation applies to—

- (a) religious premises to which a sharing agreement relates;
- (b) shared buildings; and
- (c) religious premises within the meaning of regulation 2D(8),

as if the reference to a required consent in paragraph (1) was to one or more of the required consents.”.

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(a) 1971 c. 80; amendments made to this Act are not relevant to these Regulations.

- (12) Amend regulation 9 (reviews) as follows—
- (a) in paragraph (1) after “Schedule 2” insert “or Schedule 2A (as the case may be)”;
  - (b) in paragraph (2)(b) after “Schedule 2” insert “or Schedule 2A (as the case may be)”;
  - (c) in paragraph (5) after “regulation 5(1)” insert “, (1A)”.
- (13) Amend regulation 10 (registers of approved premises) as follows—
- (a) after paragraph (1) insert—
 

“(1A) Where applicable, the register kept under paragraph (1) must also indicate that premises are religious premises approved for the formation of civil partnerships.”;
  - (b) in paragraph (3) before “Immediately” insert “Subject to paragraph (3A),”;
  - (c) after paragraph (3) insert—
 

“(3A) Where the approved premises are religious premises the proper officer need not deliver a copy of the entry or any amendment to the entry to the superintendent registrar for the district in which the premises are situated.”.
- (14) Before Schedule 1 insert, as Schedule A1, the Schedule set out in Schedule 1 to these Regulations.
- (15) Amend Schedule 1 as follows—
- (a) in the heading, after “approval” insert “of premises that are not religious premises”;
  - (b) in paragraph 3 for “fire authority [or, in England, fire and rescue authority]” substitute “fire and rescue authority”;
  - (c) in paragraph 4(a) omit “as defined by section 6(2) of the 2004 Act”.
- (16) After Schedule 1 insert, as Schedule 1A, the Schedule set out in Schedule 2 to these Regulations.
- (17) Amend Schedule 2 as follows—
- (a) in the heading, after “approval” insert “of premises that are not religious premises”;
  - (b) for paragraph (7) substitute—
 

“7.—(1) Save as provided below, no food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings.

(2) Non-alcoholic drinks may be consumed prior to the proceedings.”.
- (18) After Schedule 2 insert, as Schedule 2A, the Schedule set out in Schedule 3 to these Regulations.

### **Transitional Provision**

**3.**—(1) This regulation applies to any approval granted under the 2005 Regulations which has not expired on the coming into force of these Regulations.

(2) This regulation also applies to any approval that is reinstated on or after 5th December 2011 in accordance with regulation 7(6) of the 2005 Regulations.

(3) The standard condition prohibiting the sale and consumption of food and drink in the room in which the proceedings (within the meaning of the 2005 Regulations) take place for one hour prior to or during those proceedings attached to an approval by an authority by virtue of regulation 6(1)(a) of, and paragraph 7 of Schedule 2 to, the 2005 Regulations is to have effect on and after 5th December 2011 in relation to an approval as if it were amended in accordance with regulation 2(17)(b) of these Regulations.

(4) This regulation is without prejudice to—

- (a) any condition attached to an approval by an authority by virtue of regulation 6(1)(b) of the 2005 Regulations;

- (b) any action that an authority is taking or may take under regulation 8(1) of the 2005 Regulations in relation to a breach of one or more conditions attached to an approval under regulation 6(1)(a) of the 2005 Regulations; or
- (c) any action that the Registrar General is taking or may take or may direct an authority to take under regulation 8(6) and (7) of the 2005 Regulations.

*Name*  
Parliamentary Under Secretary of State

Home Office  
Date

SCHEDULE 1 regulation 2(14)

“SCHEDULE A1 regulation 2D(2)

**PERSONS WHO MUST CONSENT TO AN APPLICATION FOR APPROVAL OF RELIGIOUS PREMISES**

**Table**

<i>Description of religious premises</i>	<i>Person or description of person who must consent to application</i>	<i>Consent not required</i>
Place of meeting for religious worship of the Roman Catholic Church	General Secretary of the Catholic Bishops' Conference of England and Wales	
Church or chapel of the Church of England	General Synod	
Church or chapel of the Church in Wales	Governing Body of the Church in Wales	
Place of meeting for religious worship of the Methodist Church	Conference of the Methodist Church	
Place of meeting for members of the Society of Friends		Consent not required

”

## SCHEDULE 2

regulation 2(16)

### “SCHEDULE 1A

regulation 5(1A)(c)

## REQUIREMENTS FOR THE GRANT OF APPROVAL OF RELIGIOUS PREMISES

1. Having regard to their primary use, situation, construction and state of repair, the premises must, in the opinion of the authority, be a seemly and dignified venue for the proceedings.
2. Except so far as section 196 of, and paragraph 2 of Schedule 23 to, the Equality Act 2010(a) applies, the premises must be regularly available to the public for the formation of civil partnerships.
3. The premises must have the benefit of such fire precautions as may reasonably be required by the authority, having consulted with the fire and rescue authority, and such other reasonable provision for the health and safety of the persons employed in or visiting the premises as the authority considers appropriate.
4. The room or rooms in which the proceedings are to take place if approval is granted must be identifiable by description as a distinct part of the premises.”.

## SCHEDULE 3

regulation 2(18)

### “SCHEDULE 2A

regulation 6(1)(aa)

## CONDITIONS TO BE ATTACHED TO GRANTS OF APPROVAL OF RELIGIOUS PREMISES

1. The holder of an approval must ensure that there is at all times an individual with responsibility for ensuring compliance with these conditions (“the responsible person”) and that the responsible person’s occupation, seniority, position of responsibility in relation to the premises, or other factors (the responsible person’s “qualification”), indicate that the responsible person is in a position to ensure compliance with these conditions.
2. The responsible person or, in the responsible person’s absence, an appropriately qualified deputy appointed by the responsible person, must be available on the premises for a minimum of one hour prior to and throughout the proceedings.
3. The holder of an approval (“A”) must notify the authority—
  - (a) of A’s name and address immediately upon becoming the holder of an approval under regulation 7(2); and
  - (b) of the name, address and qualification of the responsible person immediately upon the appointment of a new responsible person.
4. The holder of an approval must notify the authority immediately of any change to any of the following—

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(a) 2010 c. 15; section 196 and Schedule 23 make provision for general exceptions to the Act. Paragraph 2 provides exceptions in respect of organisations relating to religion or belief.

- (a) the layout of the premises, as shown in the plan submitted with the approved application;
- (b) the name or full postal address of the approved premises;
- (c) the description of the room or rooms in which the proceedings are to take place;
- (d) the name or address of the holder of the approval; and
- (e) the name, address or qualification of the responsible person.

**5.** The holder of an approval must notify the authority immediately if the premises cease to be religious premises within the meaning of regulation 5(1B).

**6.** The holder of an approval must notify the authority immediately if a sharing Church withdraws from a sharing agreement or if a Church that uses a shared building ceases to do so.

**7.** The holder of an approval must notify the authority immediately if a required consent has been or is going to be withdrawn and the date on which it was or is to be withdrawn.

**8.** Where consent was not previously required, the holder of an approval must notify the authority immediately if consent is now or will be required and the date from which it was or will be required.

**9.** The approved premises must be made available at all reasonable times for inspection by the authority.

**10.** A suitable notice stating that the premises have been approved for the proceedings and identifying and giving directions to the room in which the proceedings are to take place must be displayed at each public entrance to the premises for one hour prior to and throughout the proceedings.

**11.—**(1) Save as provided below, no food or drink may be sold or consumed in the room in which the proceedings take place for one hour prior to or during those proceedings.

(2) These are the exceptions to the prohibition above—

- (a) the consumption of food or drink as a part of any religious ceremony that takes place prior to the proceedings;
- (b) the consumption of non-alcoholic drinks prior to the proceedings.

**12.** The proceedings must take place in a room which was identified as one to be used for that purpose on the plan submitted with the approved application.

**13.** The room in which the proceedings are to take place must be separate from any other activity on the premises at the time of the proceedings.

**14.** The arrangements for and content of the proceedings must meet with the prior approval of the authority.

**15.—**(1) The proceedings conducted on the approved premises may not be religious in nature.

(2) In particular, the proceedings may not—

- (a) include extracts from an authorised religious marriage service or from sacred religious texts;
- (b) be led by a minister of religion or other religious leader (unless that person is also a civil partnership registrar and is leading the proceedings solely in that capacity);
- (c) involve a religious ritual or series of rituals;
- (d) include hymns or other religious chants; or
- (e) include any form of worship.

(3) But the proceedings may include readings, songs, or music containing an incidental reference to a god or deity in an essentially non-religious context.

**16.** Public access to any proceedings in approved premises must be permitted without charge.

**17.** Any reference to the approval of premises on any sign or notice, or on any stationery or publication, or within any advertisement may state that the premises have been approved by the authority as a venue for the formation of civil partnerships under section 6(3A)(a) of the 2004 Act but must not state or imply any recommendation of the premises or its facilities by the authority, the Registrar General or any of the officers or employees of either of them.

**18.** If a change of name to the approved premises occurs after the issue of the civil partnership document but before the proceedings, the former name of the approved premises as recorded in the civil partnership document remains valid for the purposes of the proceedings.”.

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

These Regulations amend the Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (S.I. 2005/3168) (“2005 Regulations”) so as to enable the approval of religious premises as a place where the formation of civil partnerships may take place. The 2005 Regulations make provision for the approval of premises for civil marriages and the formation of civil partnerships. Religious premises (as defined in section 6A of the Civil Partnership Act 2004 (c. 33)) could not previously be approved for the formation of civil partnerships and they may not be approved, by virtue of the 2005 Regulations, for civil marriages. The prohibition in respect of civil partnerships (in England and Wales) has been lifted by section 202 of the Equality Act 2010 (c. 15).

The amendments to the 2005 Regulations are made by regulation 2. Many of the amendments are consequential but notable changes are explained below.

Regulation 2(3) inserts new regulations 2A to 2D. New regulation 2A clarifies that the 2005 Regulations are not intended to oust the faculty jurisdiction of the Church of England. New regulation 2B clarifies that the 2005 Regulations do not oblige a trustee or proprietor of religious premises to make an application for approval (and see also section 6A(3A) of the Civil Partnership Act 2004). New regulation 2C sets out the kinds of premises that may be approved for civil marriage and for the formation of civil partnerships. Premises that are not religious premises may be approved for both. Premises that are religious premises may be approved only for civil partnerships. An application for approval of religious premises may only be made if the appropriate governing authority of the denomination concerned has consented to it being made. New regulation 2D sets out how applicants – who will be the trustees or proprietors of premises – may demonstrate that they have this consent, referred to in the regulations as the “required consent”. Premises that are of a description specified in the table in Schedule A1 to the 2005 Regulations (inserted by Schedule 1 to these Regulations) must obtain the consent of the person or body specified in the table (unless consent is not required, in which case this will be indicated). Premises not of a description specified must obtain the consent of the governing authority of the religious organisation for whose religious purposes the premises are used. Where consent is not required (because the specified body or governing authority has determined that it’s not) then the application will need to include a signed statement to this effect.

Regulation 2(5) inserts new regulations 3A and 3B. New regulation 3A sets out how applications for approval of religious premises are to be made. It mirrors the existing application procedure for premises that are not religious premises set out in regulation 3 of the 2005 Regulations except that applicants must also include the required consent and the application must satisfy the standard requirements in Schedule 1A to the 2005 Regulations (inserted by Schedule 2 to these Regulations) rather than Schedule 1 to the 2005 Regulations. Once an application is received an authority must arrange for the premises to be inspected. But in relation to religious premises an authority may decide not to inspect premises if it considers that this is not necessary (new regulation 3A(5)). This may be, for example, because marriages are solemnized on those premises in accordance with the Marriage Act 1949 (c. 76).

New regulation 3B makes provision for religious premises that are shared under the Sharing of Church Buildings Act 1969 (c. 38) (“1969 Act”). This Act makes provision for the Churches to which it applies to enter into sharing arrangements in respect of church buildings and, less formally, for the shared use of chapels located in public institutions such as hospitals and universities. By virtue of amendments made to regulation 2 of the 2005 Regulations (interpretation) by regulation 2 of these Regulations the latter are referred to as “shared buildings”. Whilst an application made in respect of religious premises shared under the 1969 Act will still be made by a trustee or proprietor of the premises, it will need to include the required consent of all the Churches that share the premises. If the premises are approved, that approval will remain in force if a sharing Church withdraws from the sharing agreement or no longer uses a shared building (new regulation 7(2A) of the 2005 Regulations as inserted by regulation 2(9)(b) of these Regulations).

Regulation 2(7) of these Regulations amends regulation 5 of the 2005 Regulations (grant or refusal of approval). In particular it inserts new paragraphs (1A) to (1C). Only the types of religious premises specified in new paragraph (1B) may be approved. When approval is granted the authority must impose the conditions which are set out in new Schedule 2A of the 2005 Regulations (as inserted by Schedule 3 of these Regulations) (and see further below).

Regulation 8 of the 2005 Regulations makes provision for the revocation of approvals and that regulation will apply to religious premises that have been approved. However, regulation 2(11) of these Regulations inserts a new regulation 8A which concerns revocation of approvals of religious premises only. This makes provision for the revocation of approval where the required consent is withdrawn or where consent will henceforth be required (where it was not before). In these circumstances, and unless consent is provided, the authority must revoke the approval. The revocation will take effect on the day following that on which the authority received the notification or the day on which the consent will be withdrawn or required, whichever is later. The standard conditions contained in Schedule 2A and referred to above require the holder of an approval to notify an authority if consent is being withdrawn or will be required (paragraphs 7 and 8).

Regulation 2(16) (and Schedule 2) inserts the new Schedule 1A (referred above) to the 2005 Regulations. Schedule 1 to the 2005 Regulations sets out the requirements that must be satisfied before an application for approval of premises that are not religious premises is granted. Schedule 1A will set out the requirements that must be satisfied in relation to religious premises. In particular the requirement that premises are regularly available to the public for the formation of civil partnerships will apply subject to the application of paragraph 2 of Schedule 23 to the Equality Act 2010 (c. 15) (which provides an exception from the prohibition of discrimination to permit certain religion or belief based organisations in relation to certain activities to discriminate because of religion or belief or sexual orientation).

Regulation 2(18) (and Schedule 3), inserts a new Schedule 2A. This sets out the conditions that an authority must attach to an approval of religious premises. These largely mirror those that are attached to approvals of other premises (and contained in Schedule 2 to the 2005 Regulations) but with a number of notable exceptions: section 2(5) of the 2004 Act prohibits any religious service taking place whilst the civil partnership registrar is officiating at the formation. By virtue of Schedule 2 to the 2005 Regulations the civil partnership formation may not be religious in nature and for these purposes this includes any introduction to, interval or conclusion to those

proceedings. In relation to religious premises this prohibition applies only during the proceedings themselves (paragraph 15 of Schedule 2A). Similarly the consumption of food and drink will be permitted prior to the formation in so far as it forms part of a religious ceremony taking place beforehand (for example Holy Communion) (paragraph 11 of Schedule 2A). There are also some additional conditions, in particular: the requirement to inform the authority if consent has been or will be withdrawn or required; and the requirement to inform the authority if the premises cease to be religious premises of the type described in new regulation 5(1B).

Finally three changes are made to the scheme more generally. First, regulation 2(6) of these Regulations substitutes new paragraphs (1) and (1A) for paragraph (1) of regulation 4 of the 2005 Regulations. Applications may now be advertised either in a local newspaper or on the authority's website (previously it was in a local newspaper only). Second, regulation 2(9) amends regulation 7(1) of the 2005 Regulations such that now approvals will be granted for such period, being not less than three years, as the authority determines. Previously approvals could only be granted for a period of three years. Third, the prohibition on the consumption of food and drink in the same room as the proceedings take place during the proceedings and for one hour before has been relaxed. Regulation 2(17) amends paragraph 7 of Schedule 2 to the 2005 Regulations (and the equivalent provision in respect of religious premises is contained in paragraph 11 of new Schedule 2A) so as to permit non-alcoholic drinks to be consumed in the same room as the proceedings take place prior to (but not during) those proceedings.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available on the Home Office website (published together with the government's response to the consultation on civil partnerships on religious premises) [www.homeoffice.gov.uk](http://www.homeoffice.gov.uk). It is also published with the Explanatory Memorandum alongside the instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).

# Annex 2 – Impact Assessment

<b>Title:</b> <b>Civil Partnerships on Religious Premises</b>  <b>Lead department or agency:</b> Identity and Passport Service (IPS)  <b>Other departments or agencies:</b> Ministry of Justice Government Equalities Office (GEO)	IA No: GEO 1024
	Date: 12/07/2011
	Stage: Final
	Source of intervention: Domestic
	Type of measure: Secondary Legislation
	<b>Contact for enquiries:</b> Eric Powell 0151 471 4452

## Summary: Intervention and Options

### What is the problem under consideration? Why is government intervention necessary?

Civil partnerships (like civil marriages) may not, by law, be registered on religious premises. This prohibition derives from the Civil Partnership Act 2004, which aligned civil partnerships with civil marriage, replicating the distinction between secular and religious provisions. As a result, unlike opposite sex couples who may have a religious marriage ceremony, lesbian, gay and bisexual (LGB) people in same-sex couples are unable to formalise their union as a couple in front of the congregation at their place of worship. Faith groups who wish to host civil partnership registrations are prevented from being able to do so. Government intervention is needed because the impediment to civil partnerships taking place on religious premises is a legal one.

### What are the policy objectives and the intended effects?

The policy objective is to enable secular civil partnership registrations to be conducted on religious premises that have been approved for the purpose. The intended effects are to put in place a regime for approving such premises that enables faith groups to opt in to the approach, respects the different structures of decision-making of different faith organisations, protects those groups and individuals from legal challenge if they choose not to opt in, is easy for local authorities to familiarise themselves with and operate, and enables religious same-sex couples to formalise their relationship in an approved place of worship. The intention is also to ensure that civil partnership registration remains a secular activity and that local authorities can operate the provision on a costs recovery basis. Additionally, that the policy is deregulatory and voluntary and does not impose additional burdens.

### What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)

**Option 1 - Do nothing:** Do not commence Section 202 of the Equality Act 2010 to remove the bar on registering civil partnerships on religious premises. Do not make regulations to allow for religious premises to be approved as places where civil partnerships could be registered.

**Option 2 – Enable civil partnerships to be registered on the premises of those faith groups who wish this to happen and these premises to be approved for the purpose.** Commence Section 202 of the Equality Act 2010. Amend the relevant regulations to enable particular denominations to decide whether civil partnerships can be registered on any of their premises, to allow local authorities to approve such premises for the registration of civil partnerships and to introduce deregulatory changes to the approval of premises process and associated licencing arrangements.

Wider reforms, for example to include civil marriage, have not been considered. Option 2 has been chosen to respect Parliament's will, to take the first of the next steps for civil partnerships in line with the Government's commitment to protecting and promoting LGB rights and to give faith groups the freedom to act as they wish to in relation to hosting civil partnership registrations.

**Will the policy be reviewed?** It will be reviewed. **If applicable, set review date:** 2015

**What is the basis for this review?** PIR. **If applicable, set sunset clause date:** N/A

<b>Are there arrangements in place that will allow a systematic collection of monitoring information for future policy review?</b>	Yes
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**Ministerial Sign-off** for final stage Impact Assessments:

***I have read the Impact Assessment and I am satisfied that, (a) it represents a reasonable view of the expected costs, benefits and impact of the policy, and (b) the benefits justify the costs.***

Signed by the responsible Minister: ..... Date: .....

# Summary: Analysis and Evidence

# Policy Option 2

## Description:

Enable Civil Partnerships to be registered on religious premises

Price Base Year 2011	PV Base Year 2011	Time Period Years 10				
			Low: -0.13	High: 0.16		
			Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)	
<b>Low</b>			0.14	0.008	<b>0.2</b>	
<b>High</b>			0.15	0.16	<b>1.5</b>	
<p><b>Description and scale of key monetised costs by ‘main affected groups’</b>                      Familiarisation cost to local authorities = £135k (one-off), familiarisation cost to clergy = £750 to £16k (one-off), and annual cost of licence to premises that opt-in = £8k to £160k per year. This annual cost of the licence is a transfer.</p>						
<p><b>Other key non-monetised costs by ‘main affected groups’</b>                      Negligible costs to existing venues if couples decide to hold the full ceremony and reception at the religious premises.</p>						
			Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)	
<b>Low</b>			0	0.008	<b>0.07</b>	
<b>High</b>			0	0.2	<b>1.7</b>	
<p><b>Description and scale of key monetised benefits by ‘main affected groups’</b>                      Benefits to religious premises that opt-in. The additional benefit of this has been estimated to be around £203 to £36k per year. Furthermore, local authorities would receive revenue from the licence fee of around £8k to £160k per year, which is a transfer.</p>						
<p><b>Other key non-monetised benefits by ‘main affected groups’</b>                      There will be benefits for LGB individuals, their families, friends and fellow worshippers of faith groups that opt in from increased social justice and inclusion. The measure promotes parity of esteem for religious same-sex couples and the social acceptance of LGB people. It gives same-sex couples from faith groups that opt in a legal right to celebrate and form their union in the place where they worship; a civil law right available to opposite-sex couples through religious marriage. Faith groups will benefit from increased freedom to manifest their religious beliefs and determine their rites. There are potentially some negligible benefits to local authorities by introducing permissive easements on inspecting premises and advertising applications on the internet, rather than in newspapers.</p>						
<b>Key assumptions/sensitivities/risks</b>					<b>Discount rate (%)</b>	<b>3.5</b>

#### Key Assumptions:

- 100% of registration officers will familiarise themselves with the provision in time for implementation.
- There is no evidence to suggest that existing venues for civil partnerships, such as hotels, will lose more than a minimal amount of income. This is supported by the small number of faith groups that will opt in to this provision.
- Local Authorities will introduce minor changes into the approval process for religious premises where they already hold marriages and these changes will be reflected in the fees charged.
- Local Authorities will be able to recover their costs of administering the system. The costs will be met by those who benefit rather than the taxpayer
- Each religious premises approved for civil partnership registrations will host 3 registrations per year.
- There is the possibility that faith groups that apply for their premises to be approved may allow worshippers of other faith groups to hold civil partnership registrations on their premises.

#### Risks:

- As Local Authorities need to recover the costs of this provision, their fees may prove prohibitive in some instances for the premises to apply to be approved.
- Available statistics and evidence of demand on the number of premises that wish to be approved and same sex couples wishing to take up the provision is uncertain.
- More enquiries from the public and faith groups may generate additional costs for local authorities and higher licence fees.

<b>Direct impact on business (Equivalent Annual) £m):</b>	<b>In scope of OIOO?</b>	<b>Measure qualifies as</b>
		OUT

## Enforcement, Implementation and Wider Impacts

What is the geographic coverage of the policy/option?	England and Wales				
From what date will the policy be implemented?	December 2011				
Which organisation(s) will enforce the policy?	Local Authorities and the General Register Office for England and Wales				
What is the annual change in enforcement cost (£m)?	0				
Does enforcement comply with Hampton principles?					
Does implementation go beyond minimum EU requirements?	N/A				
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)					
Does the proposal have an impact on competition?					
What proportion (%) of Total PV costs/benefits is directly attributable to primary legislation, if applicable?					
Distribution of annual cost (%) by organisation size (excl. Transition) (Constant Price)					
Are any of these organisations exempt?	N/A	N/A	N/A	N/A	N/A

## Specific Impact Tests: Checklist

Does your policy option/proposal have an impact on...?	Impact	Page ref within IA
<b>Statutory equality duties</b> <sup>1</sup> <u>Statutory Equality Duties Impact Test guidance</u>	Yes	
<b>Economic impacts</b>		
Competition <u>Competition Assessment Impact Test guidance</u>	No	

<sup>1</sup> Public bodies including Whitehall departments are required to consider the impact of their policies and measures on race, disability and gender. It is intended to extend this consideration requirement under the Equality Act 2010 to cover age, sexual orientation, religion or belief and gender reassignment from April 2011 (to Great Britain only). The Toolkit provides advice on statutory equality duties for public authorities with a remit in Northern Ireland.

Small firms <a href="#">Small Firms Impact Test guidance</a>	No	
<b>Environmental impacts</b>		
Greenhouse gas assessment <a href="#">Greenhouse Gas Assessment Impact Test guidance</a>	No	
Wider environmental issues <a href="#">Wider Environmental Issues Impact Test guidance</a>	No	
<b>Social impacts</b>		
Health and well-being <a href="#">Health and Well-being Impact Test guidance</a>	No	
Human rights <a href="#">Human Rights Impact Test guidance</a>	Yes	
Justice system <a href="#">Justice Impact Test guidance</a>	Yes	
Rural proofing <a href="#">Rural Proofing Impact Test guidance</a>	No	
<b>Sustainable development</b>		
<a href="#">Sustainable Development Impact Test guidance</a>	No	

## Evidence Base (for summary sheets) – Notes

No.	Legislation or publication
1	<a href="http://www.legislation.gov.uk/ukpga/2010/15/contents">http://www.legislation.gov.uk/ukpga/2010/15/contents</a>
2	<a href="http://www.equalities.gov.uk/pdf/Equality%20Act%20Impact.pdf">http://www.equalities.gov.uk/pdf/Equality%20Act%20Impact.pdf</a>
3	<a href="http://www.equalities.gov.uk/pdf/424757_LGBT-factsheet_Web.pdf">http://www.equalities.gov.uk/pdf/424757_LGBT-factsheet_Web.pdf</a>
4	<a href="http://www.equalities.gov.uk/equality_act_2010/civil_partnership_consultation.aspx">http://www.equalities.gov.uk/equality_act_2010/civil_partnership_consultation.aspx</a>

## Evidence Base

### Annual profile of monetised costs and benefits\* - (£m) constant prices

	Y <sub>0</sub>	Y <sub>1</sub>	Y <sub>2</sub>	Y <sub>3</sub>	Y <sub>4</sub>	Y <sub>5</sub>	Y <sub>6</sub>	Y <sub>7</sub>	Y <sub>8</sub>	Y <sub>9</sub>
Transition costs	0.14	0	0	0	0	0	0	0	0	0
Annual recurring cost	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.08	0.08
<b>Total annual costs</b>	<b>0.2</b>	<b>0.08</b>								
Transition benefits	0	0	0	0	0	0	0	0	0	0
Annual recurring benefits	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1
<b>Total annual benefits</b>	<b>0.1</b>									

\* For non-monetised benefits please see summary pages and main evidence base section

# Evidence Base (for summary sheets)

## Background

Civil partnership is the formal, legally binding relationship between two people of the same sex. It provides lesbian, gay and bisexual couples with legal recognition of their same-sex relationships, giving them vital rights, responsibilities and benefits. Since the implementation of the Civil Partnership Act 2004, more than 46,000 couples<sup>1</sup> have been able to formally celebrate and register their relationship, gaining vital rights, responsibilities and benefits where previously they had none.

The Civil Partnership Act 2004 replicated the provisions for civil marriage in that it included an express prohibition on civil partnership registrations taking place on religious premises. The regulations determining the approval of premises for the registration of civil partnerships (and civil marriage ceremonies) are the Marriages and Civil Partnerships (Approved Premises) Regulations 2005.

Section 202 of the Equality Act 2010, when commenced, removes section 6(1)(b) of the Civil Partnership Act 2004, which states that in England and Wales civil partnerships must not be registered on religious premises. It also removes section 6(2) of the Civil Partnership Act 2004 which defines religious premises.

Section 202 also amends section 6(A) of the Civil Partnership Act 2004 which concerns the making of regulations for the approval of premises. It adds that the regulations concerning the approval of premises for civil partnership registrations in England and Wales may differ from those made for civil marriage. It enables the regulations to set out how denominations can opt in for any of their premises to be approved for the registration of civil partnerships. Further, it states that different provisions can be applied differently between religious premises and non-religious premises, and can also be applied differently between different types of religious premises.

In addition the Civil Partnership Act 2004, when amended by Section 202, will clarify that there is no obligation on any religious organisation to host civil partnerships if they do not wish to do so.

This section was inserted into the Equality Act 2010 following a backbench Lords amendment made after a free vote of all main political parties. The will of Parliament, therefore, is that it should be legally possible for couples to register their civil partnerships on religious premises where the denomination in question has decided to allow this. Section 202 cannot be brought into force without also making regulations that enable such premises to be brought into the regime for local authorities to approve premises as places where civil partnerships can be formed.

## Problem under consideration and rationale for intervention

Unlike opposite sex couples who may have a religious marriage ceremony, same sex couples are unable to formally register their union as a couple in front of the congregation at their place of worship. This is because civil partnership registrations are prohibited by law from taking place on religious premises. Lesbian, gay and bisexual (LGB) people and their families and friends do not have the same opportunities as heterosexual people in this respect. Faith groups who wish to express the value they place on a life-long committed relationship between two people of the same sex do not have the freedom to do so through the means of hosting civil partnership registrations because of the civil law. The only option available to them currently is to rely on a religious “blessing” after the registration. The blessing has no legal effect. Government intervention is needed because the impediment to civil partnership registrations from taking place on religious premises is a legal one and a legal framework is necessary to govern how religious premises can be approved for this purpose.

## Policy Objectives

The policy objective is to enable secular civil partnership registrations to be conducted on religious premises that have been approved for the purpose. The intended effects are to put in place a regime for approving such premises that enables faith groups to decide whether or not to permit this in their premises, protects those groups that choose not to opt in from legal challenge, is easy for local authorities to familiarise themselves with and operate and respects the different structures of decision-

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<sup>1</sup> <http://www.statistics.gov.uk/statbase/Product.asp?vlnk=14675>

making of different faith organisations. The intent is also to ensure that the civil partnership registration remains a secular activity and that the costs of the provision are met by those who benefit, rather than the taxpayer.

## **Options**

Two options have been considered:

### **Option 1 – Do Nothing**

The do nothing option would entail not commencing section 202 of the Equality Act 2010 and not making regulations for an opt-in approach and approval of premises. This option has been rejected because it would disregard the will of Parliament on a free vote. It would also run counter to Government policy on protecting and promoting LGB rights and recent exploration of the next steps for civil partnerships and retain the legal barrier that restricts religious freedom for those faith groups who wish to be able to host civil partnership registrations.

### **Option 2 - Enable civil partnerships to be registered on the premises of those faith groups who wish this to happen and these premises to be approved for the purpose**

This chosen option is to commence Section 202 of the Equality Act 2010. Amend the relevant regulations to enable particular denominations to decide whether civil partnerships can be registered on any of their premises, to allow local authorities to approve such premises for the registration of civil partnerships and to introduce deregulatory changes to the approval of premises process and associated licencing arrangements.

Further options, including wider reforms to both marriage and civil partnership, have not been considered at this stage.

**Alternatives to regulation** - not considered appropriate because it is a legal barrier that prevents couples from being able to register their civil partnership on religious premises and a statutory process governs the approval of premises for registering civil partnerships. The overall intention of the regulations is to ensure there is a consistency of application by local authorities across England and Wales, that the premises that are used for civil partnership and civil marriage are fit for purpose, that there is a clear definition between religious and secular events and that the proceedings are conducted with an appropriate amount of solemnity and dignity.

## **Consultation and Outcomes**

The Government published a consultation document on 31 March 2011 setting out its plans for how the provision is to be introduced. The consultation closed on 23 June. Approximately 1670 responses were received to the consultation. The Government intends to publish a summary of the responses and its response in autumn 2011. The Government intends to make a number of changes to the scheme as a consequence of the consultation by introducing flexibilities into the approval of premises process whilst still allowing Local Authorities to recover their costs.

The consultation sought to establish which faith groups would be likely to seek to have their premises approved for civil partnership registrations. Given the different structures of faith groups and the likelihood that all faith groups did not respond to the consultation, there is a health warning on the use of figures provided by respondents. However, the following faith groups (and the numbers of premises they have as certified to the Registrar General, as a proportion of the total are):

Total places of worship and Anglican churches	46,155 <sup>2</sup>
Society of Friends (Quakers)	364
Liberal Judaism	9
Unitarian	176
United Reform Churches	1647

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<sup>2</sup> [http://www.statistics.gov.uk/downloads/theme\\_population/area-of-occurrence-denomination-and-registered-building.xls](http://www.statistics.gov.uk/downloads/theme_population/area-of-occurrence-denomination-and-registered-building.xls)

GRO central lists of places of worship and Anglican churches supplied with marriage registers – 29,766 certified places of worship, 16389 Anglican churches where marriages may be solemnized. Number of liberal Judaism premises established from detailed search of GRO records

**Total potential opt in premises****2,204 (4.77%)**

Of the respondents to the consultation, representing faith groups, those that indicated their denomination would consider opting in their premises also indicated that it would be a matter for individual premises to choose whether to apply. No further information was obtained to qualify this figure. However, GRO's statistics on marriages<sup>4</sup> showed that in 2008, there were around 27,300 Church of England & Wales, United Reform Church and other Christian bodies buildings that can solemnise marriages.

In the same year there were approximately 66,800 religious ceremonies that took place in a Church of England & Wales Church and other Churches (excluding Roman Catholic). This means that for every Church, 3 ceremonies took place.

In practice the total number of premises that may wish to apply to be approved will be limited to whether there is sufficient demand in their congregation from couples that wish to have their civil partnership registration in religious premises. There are no estimates on the proportion of the population that are followers of the denominations that may choose to apply for their premises to be approved. Therefore to establish a forecast for the number of couples that will be able to hold a civil partnership registration in religious premises a number of assumptions are made. Forecast demand from those wishing to enter into a civil partnership on religious premises is a maximum of 1,593 (Annex 2). However this needs to be balanced against whether the denominations which opt into the provision are able to meet the needs of the couples in question. The number of partnerships whose needs can be met is estimated at between 75 and 1417, with a mid-point value of 746 per annum. Including additional demand, where couples would otherwise not have sought to register a civil partnership would do so only because they were able to do so on religious premises, the total would be around 76 and 1,595, with a mid-point value of 835 per annum (see also Annex 2).

Using this estimate that of total demand for civil partnerships on religious premises (see annex 2), and the fact that there are currently approximately 3 religious marriages per church each year, it is forecast that around 25 to 532 premises would opt in and be licensed to host a civil partnership registration in any given year, the mid-point value being 280.

Additionally the consultation sought to establish further information that could be used to further refine the Impact Assessment. The following questions were asked:

*Q23 – Can you provide any evidence of the number of individuals in England and Wales who might wish to register their civil partnership on religious premises each year?*

A range of responses were provided, however no clear methodology or firm evidence base was proposed. For the purposes of the Impact Assessment a forecast has been made using the methodology in Annex 2.

*Q24 – Can you suggest whether or not specific religious premises, congregations or denominations will seek to make use of this provision? If you are responding on behalf of a faith group, is your faith group likely to allow civil partnerships on its premises.*

The faith groups likely to apply are highlighted above. Other main faith groups, such as the Church of England and Roman Catholic Churches have indicated that they will not opt in their premises to the provisions.

*Q25 – Can you provide any additional evidence of the possible costs religious premises will incur when hosting a civil partnership registration, in addition to those discussed in the impact assessment?*

No significant additional costs were identified.

<sup>3</sup> Source MCC website <http://www.mccbournemouth.co.uk/links.htm>

<sup>4</sup> [http://www.statistics.gov.uk/downloads/theme\\_population/area-of-occurrence-denomination-and-registered-building.xls](http://www.statistics.gov.uk/downloads/theme_population/area-of-occurrence-denomination-and-registered-building.xls)

*Q26. – Can you provide any further data or examples of costs and benefits which have not already been included in the Impact Assessment? Do you have any comments on the assumptions, approach or estimates we have used?*

There were no significant comments made in this area, though some respondents indicated that the IA does not consider any costs that individual churches or organisations may face if they do not opt in.

*Q27 – Can you provide any further information or views to help us calculate the economic benefits of this measure?*

No significant suggestions were made, nor evidence provided that can improve the calculation of economic benefits. A number of respondents indicated that faith groups are more likely to make a judgement in line with their values and beliefs rather than in economic terms.

The Government intends to make four changes to the proposals as set out in the consultation document:

1. Local authorities will be able introduce flexibilities into the approval process where a premises is already used for the solemnization of religious marriage – the key change being that they will not be required to inspect the premises.
2. Local authorities will be able to publicise the application on their website, or in a locally distributed paper. Rather than the current arrangement where they must publicise in a paper. This change will also apply to secular premises.
3. To allow local authorities to extend the period of an approved premises licence (for all premises) beyond the current limit of three years, with no upper ceiling.
4. The rules on food and drink not being consumed in the room where the registration is taking place for one hour prior to the registration will be relaxed to allow for the particular needs of religious premises and to allow for non alcoholic drinks to be consumed in all approved premises.

The IA does not include any detailed economic assessment for all of these changes as they are permissive in nature. However, the change to allow for an extended period of licence has been included in calculating the annual recurring costs. The intention of changes 1 and 2 is deregulatory with the possibility that local authority costs can be reduced which can then be reflected in reduced fees. Change 4 is to ensure that the prohibition on the taking of food and drink does not inhibit religious freedom and removes unnecessary regulation preventing the consumption of non alcoholic drinks in the room that a civil marriage or civil partnerships is taking place within an hour of the proceedings commencing.

## **Costs and benefits of option 2**

### **Familiarisation Costs**

In January 2011 there were 3,167 civil partnership registrars in England and Wales. There will be a one-off cost to these registrars of familiarising themselves with the new legislation. It is assumed that “familiarisation”, in the great majority of cases, will mean familiarisation with or through guidance provided by the General Register Office for England and Wales. It is also assumed that “familiarisation” means reaching the point where the registrar and other relevant staff in local authorities are aware of the changes in the law and how they impact upon their organisation.

It is assumed individual local authorities will be responsible for ensuring their registrars are familiar with the changes. ONS data from the Annual Survey of Hours and Earnings Survey (ASHE) 2010 estimates that the median gross hourly wage for this occupation, including 24% uplift for non-labour wage costs is £20.72<sup>5</sup>.

For the purposes of this Impact Assessment, we assume that 100% of registrars will familiarise themselves with the new law in year one; we are aware this is likely to be an over-estimate with a small number likely to familiarise themselves in following years.

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<sup>5</sup> ASHE 2010 code 2317 – 24% up lift consistent with European Labour Costs Survey 2007

We assume it will take registrars one hour 30 minutes to understand the change and 30 minutes to understand how it affects them personally --- to familiarise themselves with this new provision, which will create a total one-off transitional cost to all registrars in England and Wales of **£135,000**<sup>6</sup> in 2011 prices.<sup>7</sup> These costs will fall entirely on public sector organisations.

Furthermore, where this provision is used, religious premises owners would also need to become familiar with the law. We estimate that around 25 to 532 premises will seek to be approved. It is assumed that the 2 hours would be required to fully understand the nature of the regulations and changes to the law around civil partnerships, before seeking approval. The opportunity cost of clergy<sup>8</sup>, who are considered the best proxy for religious premises owners, is estimated at £14.35 per hour<sup>9</sup>, using ASHE 2010 median gross hourly wage rate figures, excluding overtime. Therefore, there would be total familiarisation costs to those premises seeking approval of **£750-£16,000, with a mid-point of £8,000** in 2011 prices.<sup>10</sup>

## Annually Recurring Costs

Premises will also need to pay the application costs to local authorities for approval of their premises. We estimate that the average cost of obtaining a licence to host the registration of civil partnerships on religious premises would be £1,505, which is an average taken from a sample of local authority fees currently.<sup>11</sup> Though it will be a matter for local authorities, we expect that they will extend the period of licences for religious premises to reflect the stability of use of religious premises. We are conservatively assuming for the purposes of these calculations that an average licence for religious premises will be 5 years, so the per annum cost is £301. Therefore, with 25 to 532 premises seeking approval the total cost would be **£7,600 - £160,000 per annum, with a mid-point of £84,000 per year** in 2011 prices.<sup>12</sup> Taking into account the easements suggested above it is possible that the application fee could be reduced further. Therefore, this estimate is at the very high end of the possible extent of costs. In addition it should be noted that this cost is a transfer as local authorities would receive this fee to pay for processing applications (mentioned below under the sub heading “annually recurring benefits”).

However, the regulations will allow the period of the licence to be applied beyond five years, with no upper limit. This will be at the discretion of local authorities and will allow them to take deregulatory steps where they do not consider that frequent licence reviews are required, and allow religious premises and others a longer period to recover the application costs. The regulations will also allow for easements in the approvals process, whereby local authorities will not be required to visit the premises as part of the application process and will be able to advertise the application on their website, rather than in a newspaper should they wish to do so. The net effect of these changes should be to reduce local authority costs and consequently their charges which will mitigate against any difficulties faced by religious premises with an upfront application fee.

## Other Transitional Costs

We expect the costs of updating the existing approved premises guidance to local authorities, and updating websites (IPS and Directgov), to be nominal as these are already updated as a matter of course; for example when altering licences fees. Local authorities similarly update their websites regularly. However, such costs to local authorities may be at least recompensed by revenue from licences issued, which would be dependent on how many faith groups opt in.

Therefore, total monetised costs have been estimated to be around **£136,000 - £151,000 (one-off), plus £8,000 - £160,000 per year**. The present value cost would be around **£202,000 to £1.5m**, with a mid-point value of **£865,000**.

<sup>6</sup>  $3167 \times (16.71 \times 1.24 \times 1.03) \times 2 = 135,180$

<sup>7</sup> All prices updated to 2011 prices using HMT GDP Deflator Series, forecast consistent with 23 March Budget Report 2011

<sup>8</sup> The registration could be carried out only by a registrar, not by a member of the clergy

<sup>9</sup> ASHE 2010 code 2444 incl. 24% uplift for non-wage labour costs

<sup>10</sup>  $\{25; 278; 532\} \times (11.57 \times 1.24 \times 1.03) \times 2 = \{749; 8,230; 15,720\}$

<sup>11</sup> Hampshire, Haringey, Worcestershire, Cornwall, Warwickshire, North Yorkshire, East Sussex, Norfolk, Oxfordshire, and Kent County Councils

<sup>12</sup>  $\{25; 278; 532\} \times (1505/5 \times 1.03) = \{7,627; 83,795; 160,064\}$

## Non-Monetised Costs

It is anticipated that existing venues for civil partnerships will not incur significant costs from loss of income. The number of couples seeking to register their civil partnership on a religious premises is anticipated to be relatively small, and these couples may well continue to hire existing venues for the reception in much the same way that couples who have a religious marriage do not hold a reception at the religious premises itself. The market for venues for civil marriages and civil ceremonies tends to operate in a local rather than a national geographic area and most areas have a large number of approved premises so the approval of any additional premises for civil partnership registration will have a negligible impact on the business of any given existing approved premises.

## Annually Recurring Benefits

The benefits to religious premises of conducting civil partnerships ceremonies for those individuals who would otherwise have undertaken a ceremony at a secular approved premises are considered here to operate as a transfer, with no net cost or benefit to the UK as a whole except in terms of the non-monetised benefits outlined below. However, there will be a small additional benefit derived from couples who are enabled to undertake a civil partnership because the option of using a religious premises now exists. The additional annual number of such couples is estimated to be between 1 and 178, with a mid-point value of 89 (see also Annex 2).

Evidence about the fees for religious marriages is not readily available and often there are voluntary donations instead of fees. Uniquely, the Church of England has fees for marriage which apply in all of their churches and are set by law. The Church of England Parochial fee for a marriage ceremony is £262. This does not include any extra charges beyond the ceremony itself. For example, this does not include the marriage certificate, reading of banns and banns certificate; nor other optional extras, such as an organist, choir and bell-ringers, nor the services of a Verger<sup>13</sup>. We assume here, in order to simplify and generalise the applicability of the analysis here, that these are provided at cost, and therefore there are no benefits to the owners of religious premises. We use this standard fee as a proxy for the base level of revenue received by the owner of religious premises who accommodate the registration of a civil partnership as it is a standard fee, and widely available.

The opportunity cost of clergy<sup>14</sup> or other individuals who would administer the ceremony is estimated at £14.00 per hour<sup>15</sup>, using ASHE 2010 median gross hourly wage rate figures, excluding overtime. We allow for four<sup>16</sup> hours time for each registration, including other duties beyond the ceremony itself.

We expect that the fees paid to local authorities for a registrar to attend the registration of a civil partnership at an approved premise will be recovered in a fee from the couple, and therefore we do not consider this here.

Therefore, subtracting the opportunity cost of clergy or other individuals who may administer the ceremony from the standard fee, a modest estimate of the net benefit per ceremony to the owner of religious premises is £203<sup>17</sup> in 2011 prices.

Therefore the benefit would be around **£200 to £36,000 per year, with a mid-point value of roughly £18,000 per year**<sup>18</sup>.

In addition, if 25 to 532 premises opt in, local authorities would benefit from the licence fee. This amounts to **£7,600 - £160,000 per annum, with a mid-point of £84,000 per year** in 2011 prices (see above – “Annually Recurring Costs” for calculations).

Therefore, total monetised benefits have been estimated to be around **£8,000 - £200,000 per year**. The present value benefit would be around **£67,000 to £1.7m**, with a mid-point value of **£876,000**.

<sup>13</sup> <http://www.churchofengland.org/media/56806/fees%20table%202011%20both%20sides.doc>

<sup>14</sup> The registration could be carried out only by a registrar, not by a member of the clergy

<sup>15</sup> ASHE 2010 code 2444 incl. 24% uplift for non-wage labour costs

<sup>16</sup> This would include from two to three hours for the ceremony, and any additional time for preparation of rehearsals.

<sup>17</sup>  $262 - (14 \times 1.24 \times 1.03) \times 4$

<sup>18</sup>  $\{1; 89; 178\} \times 205 = \{205; 18,245; 36,490\}$

## **Non-Monetised Benefits**

There are benefits for LGB individuals, their families, friends and fellow worshippers from increased social justice and inclusion. Society has changed a great deal in the last decade, and since the introduction of civil partnerships in 2005. The UK is a world leader for LGB equality, and there is a commitment to continue to build a fairer society. This measure further promotes parity of esteem for religious same-sex couples and the social acceptance of LGB people, as it allows currently unavailable rights. It gives same-sex couples from denominations that are opting in a legal right to celebrate and form their union in the place where they worship, a right that is available to opposite-sex couples through religious marriage. It highlights the level of inclusion within all aspects of society, and a person's life. By creating this new provision, it allows further equalisation of rights which is a powerful message not only for couples who wish to hold a civil partnership on a religious premises, but also for other LGB people who can see these further steps forward being taken. Faith groups who wish to express the value they place on a life-long committed relationship between two people of the same sex will have the freedom to do so through the means of hosting civil partnership registrations.

There are a number of minor deregulatory changes to processes that are being introduced to remove the requirement for local authorities to inspect all premises that apply for approval and to allow authorities to advertise applications on their website rather than in local papers should they wish to do so. These changes are permissive, which if utilised by local authorities, could have a negligible impact of reducing their costs for administering the approvals process. The rules on food and drink not being consumed in the room where the registration is taking place for one hour prior to the registration will also be relaxed to allow for the particular needs of religious premises and to allow for non alcoholic drinks to be consumed in all approved premises.

## **Risks**

- (i) Faith groups may not be prepared to pay the fees that local authorities need to charge to recover their costs of administering the approval of premises process. This may result in a low take up of the provision.
- (ii) An increased number of enquiries from the public and faith groups about the new measure may generate additional costs for local authorities. As the approved premises regime is self-funding, fees for licences may increase.
- (iii) Pressure on Government, local authorities and faith groups and individual places of worship arising because there will be a further difference in the options available to same- and opposite-sex couples for forming an official legal relationship. For example, civil marriage will remain entirely secular and there will be many religious premises on which it will not be possible to register a civil partnership.
- (iv) Legal challenges on the issues in (iii).
- (v) Quakers and Jews do not have to register their places of worship and can currently solemnize marriage in any venue that complies with the tenets of their faith. Allowing for civil partnership registrations to take place on religious premises would not necessarily mean that these faiths will be able to register civil partnerships in these venues as they may not meet the conditions to be approved for this purpose, for example in terms of public access.
- (vi) Faith groups that opt in to the provision will only allow worshippers of their particular faith to register civil partnerships on their premises. This may result in a significant proportion of the demand not being met.

## **Enforcement**

The measure will be enforced in the same way as the existing approved premises regime for civil marriages and civil partnerships. Local authorities have a significant role to play as they approve premises and supply registrars. They will have internal checks to ensure compliance with processes. Their enforcement activities are funded from the fees paid by premises owners and couples. GRO

provide advice and guidance to local authorities in this area and take action (when aware) if any local authority is found to be operating outside of legal powers. The arrangements for opting in and applying for premises to be approved will be designed so as to minimise the risk of applications in respect of premises of those faith groups who have not opted in. Faith groups themselves will also be able ensure a central decision not to opt in is respected through their usual governance structures.

## Wider Impacts

The measure will promote equality and parity of esteem for religious same sex couples, long-term stable relationships and the social acceptance of LGB people. Faith groups who wish to express the value they place on a life-long committed relationship between two people of the same sex will have the freedom to do so through the means of hosting civil partnership registrations because of the civil law. The measure may increase pressure for modernisation of the law and administration of marriage, particularly for the introduction of the celebrant approach consulted on but not taken forward by the previous administration and for further steps to be taken toward same-sex marriage. There may be protests from opposite sex couples who would still be unable to undertake civil marriages in religious premises and is likely to be controversial within certain faith communities.

## Direct Costs and Benefits to Business and Voluntary Sector Organisations

This measure is permissive and voluntary in nature, and to that effect imposes no direct cost to business or voluntary sector organisations. For the purposes of any further cost/benefit analysis here, we assume that only those owners of religious premises who decide the full economic benefits outweigh the costs may opt in and seek approval to register civil partnerships, whilst acknowledging it is as likely that they will be influenced by matters of principle.

Using the mid-point values, it is estimated that the transfer of demand from current premises to religious premises would be around 746 partnerships. However, due to this policy there would be a rise in demand, and it is estimated that an additional 89 couples would register a civil partnership each year. Using this estimate and the assumption that a religious ceremony costs £205, this policy would result in an equivalent annual “out” of around £18,000 (2009 prices). However, as it is assumed that all of the 278 premises that opt-in will have to pay a licence fee and familiarise themselves with the amendment, it would result in an equivalent annual “in” of approximately £83,000 (2009 prices). Therefore this policy would result in a small net IN of under £70,000 (2009 prices).

## Summary and implementation plan

The Government has decided to take forward the option of enabling civil partnerships to be registered on religious premises of faith groups who wish this to be able to happen. This will enable same-sex couples who are members of such faith groups to celebrate their union in a place of worship. It will enable such faith groups to offer to host the registration of civil partnerships for religious same sex couples, manifesting their religious beliefs about these relationships. This represents the first of the next steps for civil partnership to which the Government is committed.

Action	Start date	End date	Lead Department
Consultation on how to enable those religious organisations that so wish to host civil partnership registrations on their premises and amend the relevant legislation.	April 2011	November 2011	GEO and Identity and Passport Service
Work with those who have an interest in equal civil marriage and partnerships on how the legislation can develop	July 2011	July 2012	GEO/MoJ/IPS

Marriages and Civil Partnerships (Approved Premises)(Amendment) Regulations 2011 laid	October 2011	December 2011 (in force)	IPS
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## Annex 1: Post Implementation Review (PIR) Plan

### **Basis of the review:**

The Government Equalities Office is committed to reviewing the Equality Act as a whole, and section 202, which is an enabling provision for civil partnerships in religious premises, will form part of this review. A framework approach to the evaluation of the Act has already been approved, with objectives and success criteria, set out for the evaluation as a whole and for where there will be specific focus on those areas that introduce new policy.

### **Review objective:**

As part of the overall evaluation of the Act, the precise objectives of this review are still to be approved but will reflect those of the wider Equality Act of simpler law and strengthened legislation. At this stage it is envisaged that the review will as a minimum:

- Provide a proportionate check that the regulation is operating as expected; i.e. religious premises become approved as places where civil partnerships can be registered, and the extent of their subsequent use for civil partnerships
- Verify and monitor any costs and benefits set out in the evidence base relating to the approval of premises or the registration of civil partnerships on them.

Where there is an opportunity to draw together further supporting evidence the review will also seek to understand any problems in the operation of the system from the perspective of local authorities, faith groups and individuals.

### **Review approach and rationale:**

The precise review approach is being determined in the context of the wider Equality Act review and is being considered alongside the other projects within the Evaluation Framework. Currently it is thought that this review will be a light touch assessment of how the regime is operating, mainly achieved through monitoring the take up of civil partnerships in religious premises through existing administrative data sources and monitoring any changes to the costs of the process. This is because it is not thought that the measure, which is enabling and seeks to provide an opportunity for same-sex couples to officially cement their relationship in a religious context, will affect large numbers or lead to large costs. Where this would provide valuable policy insight, we may gather further stakeholder views, for example about local authorities understanding of the regime and how the legislation has impacted on religious groups.

Any legal cases arising from the new regime will be monitored and evaluated.

Where there is attributable evidence on wider benefits of this measure from the overall evaluation activity taking place in the Evaluation of the Equality Act, this will also be included as part of the review. This might cover, for example, impacts on the social acceptance of LGB people and promoting equality and parity of esteem for same sex couples.

### **Baseline:**

As this is a new measure there is no direct baseline (civil partnerships on religious premises are not permissible). It is not anticipated that this regulation will significantly impact on the total number of civil partnerships (this amounted to 5,804 partnerships in 2010), rather it will impact on the location in which they are held (currently all civil partnerships are held in approved civil premises).

### **Success criteria:**

The precise success criteria for this measure will be determined in the wider context of the overall review of the Equality Act. However, at minimum they should include:

- Denominations in their entirety are able to opt in or decide not to opt in
- Religious premises that opt in are approved to hold civil partnerships
- Civil partnerships are registered on religious premises

### **Monitoring information arrangements:**

Monitoring of civil partnerships in religious premises will take place through existing administrative data collections, this is planned to be from data available through the Office for National Statistics. Monitoring will take place throughout the review period. These data will be supplemented with evaluation evidence

established in the review of the Equality Act.

**Reasons for not planning a review:**

Whilst this measure will be reviewed as part of the PIR for the Equality Act as a whole, only light touch monitoring of the measure itself will take place, as it is only enabling and should neither affect large numbers nor lead to large costs. However, if there is an identifiable need to provide further policy insight, subsequent review activity will be developed into the wider framework of evaluation on the Equality Act

## Annex 2: Demand for Civil Partnerships

The analysis here treats the policy option of enabling civil partnership to be registered on religious premises as the effective opening of a new economic market. In order to quantify and monetise the potential impacts of this, we must therefore treat both the owners of religious premises and couples seeking to register their partnership on religious premises as rational economic agents. Whilst this approach may not be wholly consistent with reality, it at least enables us to develop a useful tool for assessing costs and benefits of the proposal. We accept that some religious premises owners may use the provision as a matter of principle, regardless of economic considerations.

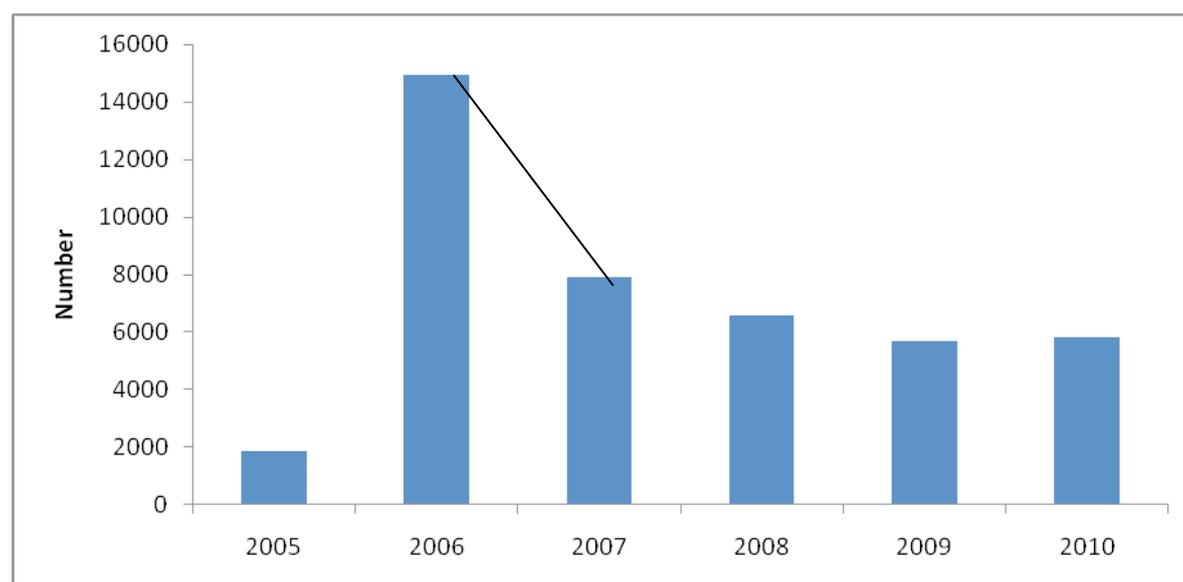
In order to derive potential benefits where this provision is used, we must derive demand and supply relationships for the service that is represented here.

### Demand

A point estimate of the potential demand for civil partnerships on religious premises by couples is estimated below.

The number of annual civil partnerships registered in England and Wales has decreased markedly since the spike in 2006 (see figure 1). Therefore, it is difficult to estimate what the steady-state number of registrations per year is. Using the available data we assume that this is likely to be no more than 5,500.

*Figure 1: Number of Civil Partnership Formations in England and Wales, 2005-2010*



Source: *Civil Partnerships in the UK, 2009*, ONS

In order to estimate the scale of potential demand for civil partnerships in religious premises we use comparable evidence for marriages. In 2008, 33% of all marriage ceremonies in England and Wales were religious.<sup>19</sup> Also, using the Annual Population Survey, 70.1% of those formerly or currently in civil partnerships declare that they have a religion. The comparable figure for the population as a whole is 79.3%.<sup>20</sup> Using these statistics would suggest that a high estimate might be as many as 1,593<sup>21</sup> couples per year seeking to use religious premises to register a civil partnership. However, some couples seeking to register civil partnerships on religious premises are likely to find this demand unmet; in particular none of the denominations who expressed a willingness to offer registration of civil partnerships are likely to be able to assist a large number of couples that are not worshippers of their faith, who make up 11% of all marriages on religious premises. Thus, a better upper bound on the transferred demand which can be met is 1417 partnerships. A strict lower bound is given by assuming

<sup>19</sup> Marriages in England and Wales, 2008, ONS

<sup>20</sup> Annual population Survey, April 2009 – March 2010, rates calculated from all those who declared that they had a religion or no religion at all.

<sup>21</sup>  $5,500 \times 33\% \times (70.1\%/79.3\%)$

only members of those denominations which intend to opt in will find their needs met by the regulation; this would give 75 partnerships, scaling by the proportions of premises which belong to those denominations. A mid-point estimate of 746 partnerships is given by taking the mean of these upper and lower bounds.

This estimate of demand is a point estimate only as we are unable to derive its relationship with the different prices for the service. However, we are nevertheless able to provide a proxy price at which this level of demand occurs. This price is described below in the analysis of the supply relationship.

### **Additional demand**

In addition to the demand transferred from existing secular premises and outlined above, we expect a small additional demand arising from couples who feel sufficiently strongly to wish not to undertake a civil partnership unless they can do so within their own religion. Here we draw on statistics from the Netherlands Central Bureau of Statistics<sup>22</sup>.

The Netherlands has a specific provision for non-religious civil partnership introduced in 2008. The additional demand for such partnerships has been around 12% of the total over the two years 2008 and 2009, and the demand for specific conversions from religious marriage to civil partnership was 3% of the total of marriages in 2008 and around 1% in 2009. Thus the additional demand for non-religious registration on grounds of principle was between 1% and 12%. No equivalent data are available for religious registration on grounds of principle, but assuming that the demand for religious registration on grounds of principle would be similar to that for non-religious registration on grounds of principle (that is, that the proportion of people with strong feelings in favour of a religious ceremony is similar to the proportion with strong feelings against a religious ceremony) gives an additional demand of 15 to 200 partnerships, of which between 4.7% and 89% can be met. Thus a lower bound on this value is approximately 1 additional partnership, and an upper bound is approximately 178 additional partnerships. Taking a mean of these gives a mid-point estimate of 89 additional partnerships.

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<sup>22</sup> ([http://statline.cbs.nl/StatWeb/publication/?DM=SLEN&PA=37772eng&D1=0-47&D2=0,10,20,30,40,50,\(I-1\)-I&LA=EN&VW=T](http://statline.cbs.nl/StatWeb/publication/?DM=SLEN&PA=37772eng&D1=0-47&D2=0,10,20,30,40,50,(I-1)-I&LA=EN&VW=T))

## Annex 3: Specific impact Tests

### Equality Impact Assessment

#### Introduction

This document considers the effect of allowing civil partnership registrations to take place on religious premises on the elimination of unlawful discrimination, harassment and victimisation, the promotion of equality of opportunity and the fostering of good relations between different groups.

The aim is to ensure that the effect on equality for all the protected characteristics in the Equality Act 2010 (“the Act”) have been properly assessed during the development of the policy, taking account of views expressed, and to provide assurance that changes needed to mitigate any potential adverse impacts have been identified. The analysis will cover race, disability and gender, age, religion or belief, gender reassignment, sexual orientation, and pregnancy and maternity.

#### Context

These proposals have been developed by the Government Equalities Office (GEO) following discussions with a wide range of government departments and partners including LGB representatives, and faith groups.

In *Working for Lesbian, Gay, Bisexual and Transgender Equality*, published in June 2010, the Government made a commitment to talk to those with a key interest about what the next stage should be for civil partnerships, including how some religious organisations can allow same-sex couples the opportunity to register their relationship in a religious setting if they wish to do so. Following this commitment a number of meetings were held with a variety of groups; including faith groups, LGB groups and those representing the registration service.

Many of those attended fully supported this move (with some feeling it did not go far enough), however, there was a polarisation of opinion in many areas and a number of considerations were raised which are considered in the consultation document. Even those who did not want civil partnerships to take place as part of their own faith said that they did not want others to be stopped from doing so.

On 17<sup>th</sup> February 2011, the Government committed to the following:

“The coalition government is committed to protecting and promoting LGB rights in the UK. As part of that commitment we intend to implement section 202 of the Equality Act 2010 which will remove the ban in England and Wales on civil partnership registrations being held on religious premises. Implementing this provision will allow those religious organisations who wish to do so to host civil partnership registrations on their premises. Because section 202 is a permissive provision, religious organisations who do not wish to host civil partnership registrations will not be required to do so as a result of this change.

By making this change, we will be giving same-sex couples, who are currently prevented from registering their civil partnership in a religious setting, the chance to do so. The implementation of this provision is the first part of our work on the next steps for civil partnerships as laid out in the LGB&T action plan. Having listened to stakeholders it is clear from many that there is a desire to move towards equal civil marriage and partnerships. We will consult further on how legislation can develop, working with all those who have an interest in this area.”

## **Methodology**

In *Working for Lesbian, Gay, Bisexual and Transgender Equality* we committed to talking to those with an interest about what the next step should be for civil partnerships, including how some religious organisations can allow same-sex couples the opportunity to register their relationship in a religious setting.

Over a number of weeks the Government met with representatives from LGB organisations, faith groups and the registration service. In total we met with approximately 25 groups, representing many more people. Following these meetings, we have analysed the comments made and issues raised. These are reflected within the provision, as laid out, and the further work streams which the Government has committed to undertake. The consultation setting out the Governments plans for implementation was published on 31 March and closed on 23 June. The summary of consultation responses and Government response will be published in the autumn.

## **Impact of this provision**

This provision will allow same-sex couples the option to formally register their civil partnership in the building where they worship (should the faith agree to do so). They currently are not able to do so. This will ensure that same-sex couples can register their partnership on religious premises, just as most opposite sex couples can do when solemnizing a religious marriage. However, whilst this provision will permit civil partnership registrations to take place in a religious venue, it does not alter the secular nature of the formation of a civil partnership as defined in the Civil Partnership Act 2004. This maintains the distinction between civil partnership, which by law is a secular union, and marriage, which may be secular or religious. This is reflected in the decision to as far as possible model the practical implementation of the provision on the existing approval system for premises for civil marriage and civil partnership, where it is local authorities that both administer the process and decide on whether to approve premises.

The processes to register religious buildings for the solemnization of religious marriage is entirely separate, applies different rules to different denominations with the consequence that a number of denominations that may wish to opt into this provision will not already have their buildings approved for religious marriage, is defined in dated legislation, including such measures as requiring the signatures of 20 householders that are worshippers at the premises to approve the request and is only partly administered by local authorities, the decision making authority sitting with the Registrar General. As such it is not considered appropriate to mirror the approvals process for this provision.

## **Impact on sexual orientation**

We consider that there are some same-sex couples, who would wish to register their civil partnership in the building where they also worship, and are currently not able to do so despite their wishes being supported by their denomination. In the current system, they can have a blessing of the partnership, but the legal formation cannot take place within religious premises. Therefore, the creation and purpose of this provision is to improve equality for LGB people by offering a wider choice of where to register their civil partnership and have an overall impact on the perception of LGB people within society.

Currently, opposite-sex couples have the choice of either a civil or religious marriage ceremony. While this provision will allow same-sex couples to have a civil partnership on religious premises, this will not be replicated to allow heterosexual couples to have civil marriage on a religious premises. This could have a negative effect on good relations between different sexual orientation groups as there will be a difference in provision available. However, this can be mitigated and explained as it rectifies a provision that currently does not exist.

The extension of the current approval regime for civil marriages and civil partnerships to religious premises may impact on the decision of some religious organisations which might otherwise have applied to have their premises approved, not to do so because of the financial cost and additional administrative burden. However, this reflects the more modern and inclusive processes to approving premises for civil partnerships and civil marriage, compared to the dated processes for registering buildings for religious marriage as well as allowing local authorities to have a degree of control over the process and being the decision making authority for approval.

## **Impact on religion or belief**

The provision as laid out is intended to be entirely permissive in its nature, meaning that faith groups would have to opt in, to allow their premises to be used for civil partnership registrations. There is no intention to force any groups to have to sign up to be able to register civil partnerships on their premises. This was the intention of the initial amendment to the then Equality Bill (made by Lord Alli) and this remains integral to the Governments considerations and plans.

The intention is to allow a greater freedom of religious expression for LGB people who wish to express their religion or religious belief in the same building as their civil partnership registration. Previously, there was an express prohibition on them holding their civil partnership registration in a religious building, where as opposite sex couples have the option of a religious marriage. The intention of this provision is to allow same-sex couples to have a similar option.

The intention of this provision is also to allow religious freedom for faith groups who wish to recognise same-sex couples with their community. They currently do not have the capability to host the registration of civil partnerships even if they wish to do so. The Government included faith groups in the discussion on the next steps for civil partnerships and remains committed to widely consulting with a wide variety of such groups. This includes faith groups who are supportive of the implementation of section 202 of the Equality Act and taking the next step to equal marriage and partnerships, and also those who do not support the implementation of this provision.

There could be a negative impact on organisations who do not register to conduct civil partnership registrations as they face pressure to do so, possibly damaging relations with their wider community. Conflict could also be caused if the competent authority of a denomination decides not to opt in but an individual wishes to conduct these ceremonies (or vice versa). However, the internal structures and governance of religious bodies would not be for Government to interfere with.

In recognising that this provision will provide greater freedom to the public and faith groups on where civil partnership registrations are held, the Government considers that it should not place an unfunded burden on local authorities and therefore tax payers. Therefore, the Government is committed to allowing local authorities to recover their reasonable costs from those applying for their premises to be approved.

There is no impact on belief organisations that are not religious.

## **Impact on disability**

Local authorities may consider (as part of their requirements for a licence to hold civil partnership registrations) that an approved building needs to make reasonable adjustments to allow access by disabled people.

This currently does not apply to religious venues for religious marriage ceremonies. We are aware that consideration needs to be given to this point as this may entail religious buildings facing large costs of amending the buildings, which they may argue are also of historical significance. However, this could limit the possibility of disabled people, in a same-sex partnership having a civil partnership on religious premises.

## **Impact on gender reassignment**

A person can enter a civil partnership with someone of the same-sex, regardless of whether this is the sex they were assigned at birth (regardless of whether this is a civil partnership registration on religious premises or a civil registration). This must be their legally recognised sex. The provision provided for in section 202 would be available to all same-sex couples.

The Equality Act 2010 contains a provision which means that people who solemnise marriages, those who give consent in registered premises and approved celebrants in Scotland are able to decline to marry someone if they believe that one member of the couple is transsexual. Schedule 4 of the Gender Recognition 2004 also provides that the clergy in the Church of England and the Church in Wales are not obliged to solemnise the marriage of a person they reasonably believe to have changed gender under that Act. Any new provision should ensure that these provisions are not changed.

If a person is in a marriage and wishes to obtain legal recognition of their acquired gender (by means of a Gender Recognition Certificate) they are required to end their marriage before they can obtain a full Gender Recognition Certificate. They can then enter into a civil partnership if they so wish. These provisions would not change that position or have any effect on the Gender Recognition Act 2004. By making amendments to civil partnerships, without addressing this issue (which was raised as part of the listening exercise) could have an impact on good relations.

### **Impact on sex**

Same-sex couples formed 6,385 civil partnerships (3,129 male and 3,256 female) in the UK in 2010. Therefore we can assume that there would be no particular impact on men over women.

### **Impact on age**

In 2010, the average age for men in a civil partnership was 40.6 and for women, it was 38.4 years. Older LGB people may not be aware of the changes that have taken place as they may not as involved in the LGB community. To mitigate this risk we will communicate with older LGB groups through a range of channels.

### **Impact on race**

There may be a difference in the number of people who enter into a civil partnership from different races. Different races could be considered to be impacted in different ways, due to differing cultural acceptance of same-sex couples but this would be based on anecdotal evidence.

### **Areas not impacted by these provisions**

The strands of **pregnancy and maternity**, are not impacted by this provision in any way. There is no difference in the way any of these groups will be affected by the new provision.

## **Economic Impacts**

### **Competition Assessment**

A detailed competition assessment is not necessary for this measure. Any impact on competition will be on the market for approved premises for civil partnership and will be marginal and local, rather than significant or national.

This measure has no effect on the ease or difficulty with which businesses can enter the market for registering civil partnerships and hosting the accompanying celebration. Any nominal direct and indirect impact will be to increase rather than restrict the number of suppliers. In January 2011 there were 5,919 approved premises in England and Wales and 205 register offices. Couples who have their civil partnership registered in religious premises are anyway likely to hold any reception in a hotel or similar venue, in the same way as couples who form a civil partnership in a register office or solemnize a religious marriage.

### Competition filter test

Does this measure:

- Directly limit the number of range of suppliers?
- Indirectly limit the number of range of suppliers?
- Limit the ability of suppliers to compete?
- Reduce suppliers' incentive to compete vigorously?

As the answers to these questions are all "No" a competition assessment is not required.

## **Small firms impact test**

This measure does not impose administrative or other burdens or other direct costs on businesses of any size. Any impact will be nominal and restricted to any increased competition in the approved premises for civil partnerships market. There will be no disproportionate impact on small businesses. FSB said that they did not see an impact on their members, apart from if there were protests against faith groups or outside religious premises, which they accepted would be unlikely.

## **Environmental Impacts**

### **Greenhouse gas assessment**

We do not believe there will be an impact on greenhouse gas emissions as a result of this policy

### **Wider environmental issues**

This measure will have no implications in relation to climate change, waste management, landscapes, water and floods, habitat and wildlife or noise pollution.

## **Social Impacts**

### **Health and well being**

We anticipate that any impact of this measure on health and well-being will be positive for same-sex couples who are able to register their civil partnerships on religious premises, their families, friends and members of the congregation. Evidence is not available to enable any impact to be quantified.

### **Human Rights**

Based on the analysis conducted to date, the risks of a successful legal challenge to this measure on the grounds that it breaches the European Convention on Human Rights (ECHR) is small when it is left to individual faith groups or individual ministers of approved religious premises to decide whose civil partnership registrations to host (e.g. to exclude non-religious couples or members of a different faith group). Given the controversies surrounding sexual orientation and religion and belief, such challenges cannot be excluded. The inequality between same and opposite sex couples in terms of rights to marry or enter a civil partnership is already the subject of a legal challenge in the European Court of Human Rights (ECtHR). The Human Rights implications will be considered further during the consultation period and subsequent development of policy and legislation. In the recent case of *Schalk & Kopf v Austria* the ECtHR found that marriage only for opposite sex couples and civil partnerships only for same sex couples did not breach articles 8 (the right to respect for private and family life), 12 (the right to marry) and 14 (prohibition of discrimination in the rights granted by the ECHR). The ECtHR also found and that it is for national law to determine whether or not to permit same-sex marriage.

### **Justice system**

Any impact on the justice system would be marginal and is difficult to predict. The measure does not create any new rights that are enforced by individuals through the courts or tribunals; nor does it create any new criminal (or civil) penalties which could impact on the justice system. There is a risk of additional legal challenges. These would be to Government about the legislation and possibly to denominations/faith groups or individual ministers of religion about either the hosting or the not hosting of civil partnerships on their premises.

### **Rural proofing**

This measure applies across England and Wales and, as an enabling measure, will not adversely affect communities whether they are rural or urban. Rural communities are less densely populated and tend therefore to have fewer religious buildings, meaning that rural same-sex couples may have less opportunity to register their civil partnership in a religious setting. The opportunities in urban areas may also be greater because a wider variety of faith groups may have places of worship in them. Anecdotal evidence suggests that the LGB people are more likely to live in an urban than a rural area.

## **Sustainable Development**

The measure is not contrary to the shared UK principles of sustainable development

# Annex 3 – List of organisational respondents

Above Bar Church  
Accepting Evangelicals  
Anglican Mainstream.net  
Atheism  
Bank Street Unitarian Chapel, Bolton  
Banners Gate Community Church  
Baptist Union of Great Britain  
Baptist Union Member  
Bethany Pentecostal Church  
Bethel Evangelical Free Church  
Bethlehem Evangelical Church  
Birmingham Register Office  
Bristol City Council, Legal Department  
British Humanist Association  
Brook Graham Ltd  
Bryn Independent Methodist group  
Buckinghamshire County Council  
Burnopfield Gospel fellowship  
Cambridgeshire Registration Service  
Canon Street Christian Centre  
Catholic Bishops Conference  
The Carpenter's Arms  
Carmarthen Evangelical Church  
Centre for the Study of Christianity & Sexuality  
Changing attitude  
Christian Concern  
Christian Concern for Our Nation  
Christian Institute  
Church of England  
Church of Jesus Christ Apostolic UK  
Church in Wales  
Church on the Corner  
Church Society  
Crawley Borough Council LGBT staff group  
Cranfield Colours  
Cutting Edge Consortium  
CSBSL  
Dagenham Parish Church  
Davenport Road Evangelical Church  
Dovecot Evangelical Church  
East Anglia Registration Board  
East Finchley Baptist Church  
Eastney Evangelical Free Church  
Elim Pentecostal Church  
Ely Team Ministry  
Emmanuel Church Salisbury  
Emsworth Baptist Church  
Enfield Evangelical Free Church  
Enfield LGBT Network  
Epworth Baptist Church  
Equality and Human Rights Commission  
Evangelical Alliance  
Evangelical Connection  
Family Education Trust  
The Fellowship of Independent Evangelical Churches  
Fishponds Baptist Church  
General Assembly of Unitarian and Free Christian Church  
Grapevine Christian Fellowship  
Groundlevel Churches UK  
Guildford Park Church  
Hadleigh Baptist Church  
Hampshire Register Office  
Hanney Chapel  
Highfields Church, Cardiff  
Holy Trinity Parish Church  
Horfield Quaker Meeting, Bristol  
Howeth Road Evangelical Church  
Inclusive Church  
Independent Methodist Church, Wigan  
Independent Methodist Connexion  
Jewish Gay and Lesbian Group  
Kent County Council Registration Services  
King's Church International  
King's Church, St Paul's Cray  
Kingston Evangelical Church  
LGBT Anglican Coalition  
LGBT Consortium  
LGBT Network, Wakefield Council  
Leeds City Council

Lesbian and Gay Christian Movement  
 Liberal Judaism  
 Liberty  
 Liberty Church Blackpool  
 Lindley Evangelical Church  
 Liverpool City Council  
 Liverpool City Council, Registration Services  
 Manager  
 The Local Government Panel for Registration for  
 England & Wales  
 Local Registration Services Association  
 Long Buckby parish church  
 Lower Kingswood Evangelical Church  
 Lydia  
 Lye Muslim-Christian Dialogue Group  
 Maranatha Community  
 Merseyside Christian Fellowship  
 The Methodist Church in Britain  
 Metropolitan Community Church of  
 Bournemouth  
 Mill Lane Independent Methodist Church  
 Mothers Union  
 National Secular Society  
 New Community Church, SE London  
 New Frontiers Churches UK  
 New Life Church  
 North Lincolnshire Registry Office  
 North Yorkshire County Council Registration  
 Office  
 North West Liberal Party  
 North West London Area Quaker Meeting  
 Oadby Evangelical Free Church  
 Oak Tree Church Bourneville  
 Oxfordshire County Council Registration Service  
 Paulsgrove Baptist Church  
 Penknapp Providence Church  
 Pioneer Churches UK  
 Quakers in Britain (Religious society of Friends)  
 Quaker Gay and Lesbian Fellowship  
 Quest  
 Reformed Church Caucus  
 Religious Society of Friends (Quakers)  
 Salisbury Baptist Church  
 Salt and Light Churches UK  
 Sawbridgeworth Congregational Church  
 Scorrier Christian Fellowship  
 Soham Baptist Church  
 South East Registration Board  
 South Hylton Independent Methodist Church  
 Spicer Street Church  
 Spring Road Evangelical Church  
 St Andrew's Church URC  
 St George's Church  
 St George the Martyr  
 St Giles' Church  
 St John the Evangelist, Carlisle  
 St. John Newland Church of England Church  
 St Paul's Church, Essex  
 St Pauls Church  
 Stonewall  
 Surrey County Council Registration Service  
 TGH Evangelical Church  
 Townfield Church  
 The Triratna Buddhist Order  
 TUC  
 United Reformed Church Law and Polity  
 advisory group  
 Unity Church (Unitarian)  
 University of Hull  
 Waldringfield Baptist Church  
 Wall Heath Evangelical Free Church  
 Warfield Churches  
 Waterloo Road Church  
 Waterlooville Baptist Church  
 Welsh Government  
 West Midlands Regional Registration Group  
 West Sussex County Council  
 Whitby Evangelical Church  
 Woodstock Road Baptist Church  
 The Worthing Tabernacle



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