

Fairer Scotland Duty – assessment template

Title of policy/practice/ strategy/legislation etc.	The Registration Services (Fees, etc.) (Scotland) Amendment Regulations 2022
Non-ministerial office holder	Registrar General for Scotland
Directorate: Division: team	<ul style="list-style-type: none">• National Records of Scotland• Directorate for Justice, Civil Law and Legal System, Family Law Policy Unit

Stage 1 – planning

What is the aim of your policy/strategy/plan?

Each person submitting a marriage notice or a notice of a proposed civil partnership requires to pay a fee to the applicable local authority. The level of fee is set by the Registrar General for Scotland with the approval of the Scottish Ministers by regulations made under the Marriage (Scotland) Act 1977 and the Civil Partnership Act 2004.

The purpose of the Registration Services (Fees, etc.) (Scotland) Amendment Regulations 2022 (“the Regulations”) is to increase the fee payable for a marriage notice or a notice of proposed civil partnership from £30 to £45. The change would apply across Scotland. These fees were last increased in April 2010.

Implementation of the proposal would affect couples planning to marry or register a civil partnership.

It is expected that the change would increase the income from these fees for local authorities whose registrars process the notices, so as to better reflect the actual costs of handling these.

What is your timeframe for completing the Fairer Scotland Duty assessment?

It is planned to bring forward the Regulations in time to allow for the change to come into effect shortly after the start of the financial year 2022-2023. This FSDA should be published alongside the Regulations.

This means that the Regulations must be made and laid in the Scottish Parliament by early March 2022

Who else will be involved in the assessment and what roles will they play?

NRS and Scottish Government officials have considered the implications of this proposal in the light of the Fairer Scotland duty.

Stage 2 – evidence

What will the assessment take account of?

The assessment of the policy proposal will consider:

- the available data on socio-economic circumstances and inequalities of outcome for those who marry or register a civil partnership including whether increasing the current fees might impact for equalities of outcome;
- the Scottish Government’s policy as set out in the Scottish Public Finance Manual that charges for public services should generally allow for full cost recovery¹; and
- information about the costs of providing registration services NRS has obtained from earlier engagement, including with the Convention of Scottish Local Authorities (“CoSLA”) and the Association of Registrars of Scotland (“ARoS”).

What does the evidence suggest about existing inequalities of outcome, caused by socio-economic disadvantage, in this specific policy area?

We have identified some evidence about socio-economic disadvantage, specifically on poverty rates among different groups which can be considered.²

¹ For previous SSIs made by the Registrar General which has fixed registration services fees this has meant that the aim is for each of the registration services fees set to recover the true cost of the statutory service to which they relate.

² The Equality Impact Assessment Record sets out the evidence we have identified for people with protected characteristics.

On the relative poverty rate for individuals who are married or in a civil partnership, the Scottish Government Report “Poverty and Income Inequality in Scotland 2017-2020”³ notes that this rate was lowest for married⁴ adults: in the period, 13% of married adults were reported to be in relative poverty compared to 27% of single adults.

Information about the number of marriages and civil partnerships each year is on the NRS website at: [List of Data Tables | National Records of Scotland \(nrscotland.gov.uk\)](https://nrs.scot.nhs.uk/data-tables). This does not include data about marriage and civil partnership in relation to areas of deprivation: NRS has published information about the local authority areas where couples marry, not which local authority or authorities they reside in: ([Marriages and Civil Partnership - Time Series Data | National Records of Scotland \(nrscotland.gov.uk\)](https://nrs.scot.nhs.uk/data-tables/marriages-and-civil-partnerships)). Information about a couple’s financial circumstances is not sought or collected through the marriage notice or civil partnership notice.

The annual number of marriages has been steadily reducing over time: in 1961 there were 40,562 marriages, in 1981 there were 36,237, in 2001 there were 29,621 and in 2019 there were 26,007.⁵ There is further information in the Registrar General for Scotland’s Annual Review of Demographic Trends.⁶ This appears to be a wider international trend: the United Nations has reported that the number of people who have never married is increasing in some countries.⁷

The average age at which people marry in Scotland has been increasing. Between 2010 and 2020, the mean age at first marriage for men increased from 32.5 years to 34.9 years and for women increased from 30.7 years to 33.3 years. It has been reported that for the last 15 years, the youngest adults (16-24 year olds) have been consistently more likely to be in relative poverty compared to older adults.⁸

There is some limited information about the average costs of a wedding. The data may not be representative. The average cost of a wedding in the UK including the costs of any honeymoon, was reported in 2020 to be £20,731.⁹ The same report indicated the average cost represented 25% or more of household income of the survey respondents.

³ [Poverty and Income Inequality in Scotland 2017-20 \(data.gov.scot\)](https://data.gov.scot/publications/poverty-and-income-inequality-in-scotland-2017-2020/)

⁴ The report confirms that this includes those in a civil partnership.

⁵ [List of Data Tables | National Records of Scotland \(nrscotland.gov.uk\)](https://nrs.scot.nhs.uk/data-tables), Table 7.06.

⁶ [RGAR 19: Marriages and Civil Partnerships \(nrscotland.gov.uk\)](https://nrs.scot.nhs.uk/data-tables/marriages-and-civil-partnerships)

⁷ United Nations Population Facts World Marriage Patterns December 2011: pdf [PopFacts_2011-1.pdf \(un.org\)](https://data.un.org/Data.aspx?ds=PopFacts_2011-1.pdf) There is also information on this trend as at 2020 at [Marriages and Divorces - Our World in Data](https://nrs.scot.nhs.uk/data-tables/marriages-and-divorces).

⁸ [Poverty and Income Inequality in Scotland 2017-20 \(data.gov.scot\)](https://data.gov.scot/publications/poverty-and-income-inequality-in-scotland-2017-2020/)

⁹ The 2020 UK Wedding Report by Bridebook, based on a survey of around 3000 couples based in the UK who married in 2018 and 2019: [The UK Wedding Report 2020 by Bridebook | Wedding Advice | Bridebook](https://www.bridebook.co.uk/wedding-advice/)

What does the evidence suggest about possible impacts of the policy/programme/decision, as planned, on those inequalities of outcome?

The evidence does not suggest that there would be any adverse impact on equalities of outcome caused by social economic disadvantage arising from the proposal.

The evidence suggests that in many cases the marriage or civil partnership notice fees paid by a couple marrying will be a small proportion of the event's overall costs to them and their families. The reducing number of marriages in Scotland seems to be associated with a wider trend being experienced internationally that is unrelated to the level of the fees for marriage or civil partnership notices, which have not changed since April 2010.

Overall, the evidence does not support a change in Scottish Government's general policy on fees for public services as set out in the Scottish Public Finance Manual for these fees. The fees could be increased to better reflect the costs of providing the associated services, without impacting on the socio-economic outcomes of those couples.

Is there evidence that suggests alternative approaches to the policy/programme/decision?

No.

What gaps are there in key evidence? Is it possible to collect new evidence quickly in other areas? How could you involve communities of interest (including those with lived experience of poverty and disadvantage) in this process?

Given the limited nature of this proposal and the existing evidence we have decided not to seek to gather further evidence in this area.

Stage 3 – assessment and improvement

Our assessment has not identified any impacts for inequalities of outcome, including any associated with particular groups, or communities of interest or of place.

Consequently, we have not identified options for changing the proposal to improve such outcomes.

Stage 4 – decision

We have decided not to alter the policy proposal under consideration.

**Sign off of the Fairer
Scotland Assessment
template**

Rod Burns
Deputy Registrar General for Scotland
23 February 2022