

Status: Point in time view as at 04/05/2021.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Sharing of Church Buildings Act 1969. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

Section 6.

MODIFICATIONS OF PROVISIONS OF THE MARRIAGE ACT 1949 RELATING TO THE REGISTRATION OF BUILDINGS, IN THEIR APPLICATION TO SHARED CHURCH BUILDINGS

1 F1

Textual Amendments

F1 Sch. 1 para. 1 repealed by [Marriage \(Registration of Buildings\) Act 1990 \(c. 33, SIF 49:1\), s. 1\(2\)\(a\)](#)

2 An application under [^{F2}section 41 of the Marriage Act 1949 (hereinafter referred to as “the Act”)] shall be made by a representative (as hereinafter defined) of a sharing Church other than the Church of England, and, if there are two or more such Churches, the registration shall be deemed to have been made on behalf of the congregations of all those Churches, whether or not their representatives joined in the application.

Textual Amendments

F2 Words substituted by [Marriage \(Registration of Buildings\) Act 1990 \(c. 33, SIF 49:1\), s. 1\(2\)\(b\)](#)

3 Where a sharing Church other than the Church of England withdraws from the sharing of a registered church building[^{F3}which is registered under section 41 of the Act, and], which continues to be used by another such Church, the registration shall not be cancelled.

Textual Amendments

F3 Words in [Sch. 1 para. 3](#) inserted (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\), art. 1\(2\), Sch. 1 para. 11\(2\)](#)

[^{F4}3A. Subject to the provision made by sections 44A to 44C of the Act and any regulations made under those sections, where a sharing Church withdraws from the sharing of a registered church building which is registered under section 43A of the Act, and which continues to be used by another Church other than the Church of England, the registration shall not be cancelled.]

Textual Amendments

F4 [Sch. 1 para. 3A](#) inserted (13.3.2014) by [The Marriage \(Same Sex Couples\) Act 2013 \(Consequential and Contrary Provisions and Scotland\) Order 2014 \(S.I. 2014/560\), art. 1\(2\), Sch. 1 para. 11\(3\)](#)

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4 An authorisation and certification of a person under section 43(1)^{F5} or section 43B(1)] of the Act to be present at the solemnization of marriages in a church building to which a sharing agreement relates shall be effected by a representative of a sharing Church other than the Church of England, and, if there are two or more such sharing Churches, different persons may be so authorised and certified on behalf of those Churches, but each such person shall be an authorised person for the purposes of the Act in respect of the solemnization of any marriage in that building; and references in the Act to authorised persons and their certification shall be construed accordingly.

Textual Amendments
F5 Words in Sch. 1 para. 4 inserted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), Sch. 1 para. 11(4)

5 [^{F6}Sections 43(1A) and 43B(3) of the Act, both of which prescribe] a period of twelve months before a person may be authorised as aforesaid, shall not apply to any authorisation under this Schedule, and, if a sharing Church withdraws, in the circumstances mentioned in paragraph 3^{F7} or 3A] above, from the sharing of a registered church building, the registration shall, for the purpose of the application of the [^{F8}section 43(1A) or 43B(3)] to another building registered on behalf of the congregation of the withdrawing Church, be deemed to have been cancelled at the time of the withdrawal.

Textual Amendments
F6 Words in Sch. 1 para. 5 substituted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), Sch. 1 para. 11(5)(a)
F7 Words in Sch. 1 para. 5 inserted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), Sch. 1 para. 11(5)(b)
F8 Words in Sch. 1 para. 5 substituted (13.3.2014) by The Marriage (Same Sex Couples) Act 2013 (Consequential and Contrary Provisions and Scotland) Order 2014 (S.I. 2014/560), art. 1(2), Sch. 1 para. 11(5)(c)

6 The consent required under the proviso to section 44(1) of the Act shall, if the marriage is to be solemnized according to the rites of a sharing Church, be given by the minister ordinarily responsible for the conduct of worship by the congregation of that Church or, if the sharing Church is not the Roman Catholic Church, by a representative of that sharing Church, and in the case of other marriages shall be given by one of the trustees, owners or managers of the building.

^{F97}

Textual Amendments
F9 Sch. 1 para. 7 omitted (4.5.2021) by virtue of The Registration of Marriages Regulations 2021 (S.I. 2021/411), reg. 1(2), Sch. 1 para. 54 (with Sch. 2)

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- 8 Nothing in this Schedule shall affect any registration or authorisation which is in force when a sharing agreement takes effect in respect of the building concerned, and any such registration or authorisation shall continue in force and have effect as if it had been made under this Schedule.
- 9 In this Schedule “representative”, in relation to a Church sharing a church building, means—
- (a) if the building is jointly owned, a trustee representing that Church;
 - (b) in any other case, a party to the agreement on behalf of that Church.

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