

# Marriages of Foreign Nationals



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## A note from the Registrar

Clergy will be aware of the adverse publicity for the Church arising from marriages conducted in church for foreign nationals where fraud and perjury had occurred. Bishop Peter is anxious to do all he can to protect members of the Clergy from being deceived into conducting sham marriages or marriages of convenience. At the same time, the Church must assist couples who are seeking to arrange genuine marriages and who do not seek to circumvent the law.

The new edition of *Anglican Marriage in England and Wales: a Guide to the Law for clergy*<sup>1</sup> is now available: it sets out every aspect of marriage law. Where the marriage of someone subject to immigration control is concerned, Section 9.5 highlights the way in which Anglican preliminaries, of themselves, are not as restrictive as civil preliminaries – which currently require a Certificate of Approval to Marry. (This is the background to the recent upsurge in applications for Anglican marriages: those seeking to make money out of people subject to immigration control have seen the Church of England as a ‘soft target’.)

The Government have now announced that they intend to review the law in this matter. We therefore advise all clergy, in all cases where a marriage is contemplated and one of the parties is subject to immigration control, they contact the Registry for advice as to how to proceed before committing themselves or the couple to the wedding.

Paragraph 9.5 of the Faculty Office advice draws attention to the fact that foreign nationals may by virtue of residence have acquired a strict legal right to be married by banns and the Bishop has no desire to see his Clergy being accused of unlawful discrimination. Clergy are therefore encouraged to seek advice from the Registry even in cases where foreign nationals attempt to insist they have a legal right to get married by banns. It is anticipated that such cases are likely to be rare.

On a more positive note I am pleased to be able to say that the Registry has adopted a new process of working closely with the Border Police on all Common Licence applications by foreign nationals subject to immigration control and we have experienced a measure of success in intercepting cases of fraud/perjury.

**T F Berry**

Registrar of the Diocese of Bath and Wells  
September 2010

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<sup>1</sup> The booklet has been sent to all parochial clergy: further copies are available from the Faculty Office at £7.50 each. Cheques should be payable to The Faculty Office, and sent to The Faculty Office, 1 The Sanctuary, Westminster, London SW1P 3JT