



HM Passport
Office

General Register Office

Clergy Newsletter

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Issue 12: June 2021

Introduction

Welcome to the 12th edition of the newsletter for members of the clergy.

In this issue you will find an introduction and background to the forthcoming changes regarding immigration laws resulting from the UK's exit from the EU which come into effect from the 1 July 2020.

The Training and Business Improvement Team, General Register Office

BACKGROUND

Immigration laws for EEA nationals will change from the 1 July to reflect the changes brought about following EU Exit. These changes will impact EEA citizens who wish to marry in the Church of England (CofE) or Church in Wales (CinW) as the definition of a relevant national has changed.

A relevant national, from the 1 July 2021, will be classed as:

- A British Citizen
- An Irish Citizen
- An EEA National who has been granted Settled or Pre-settled status under the EU Settlement Scheme (EUSS) or those with a pending application submitted before the 30 June 2021.

How will this impact on my work as a member of the clergy?

An EEA citizen who does not hold a status under the EUSS will no longer be permitted to be married after the calling of Banns or the issue of a Common Licence, they will instead be treated as all other foreign nationals and will have to give notice of their intention to marry (with their partner) at a register office and be issued with a Marriage Schedule.

These changes will not affect Special Marriage Licences issued through the Faculty Office and these will continue to be available to permit the marriage of couples regardless of their nationality or EUSS status.

What this means for members of the clergy is, before agreeing to call Banns of Marriage, they will be required to check if couples are either British or Irish Nationals or that any other national has Settled or Pre-Settled status or a pending application to the EUSS which was submitted before the 30 June 2021.

A person with EUSS status must provide evidence of this, to be confirmed by a member of the clergy, where their initial appointment to give notice is on or after the 1 July 2021.

A person with EUSS Settled or Pre-Settled Status can provide this evidence by requesting a 'share code' on the 'view and prove your settled or pre-settled status page' on GOV.UK at: <https://www.gov.uk/view-prove-immigration-status>.

Codes are valid for 30 days and must be provided to the member of the clergy either before or at their initial appointment to give notice to marry.

The member of the clergy will input the person's name, date of birth and code into the EUSS online status checker tool on the 'check someone's settled or pre-settled status' page on GOV.UK: <https://www.gov.uk/check-immigration-status>, to confirm that the person has been granted EUSS status. The result will display details of the person, including a photograph, to enable the member of the clergy to confirm the person does have the required EUSS Settled or Pre-Settled Status.

A person with a decision pending on an EUSS application made before the settlement scheme closes on 30 June 2021, should provide their certificate of application to confirm their EUSS status (this may be in paper or electronic format depending on how they applied).

If evidence cannot be provided, then the couple will be directed to attend the register office together, in the district where one of them resides, to give notice to marry.

When will the training materials be available?

Training material will be added to the Local Registration Service Website in the coming days.

What happens next?

Once you have had the opportunity to review the training material a Question and Answer session will be hosted to allow the Clergy to ask questions of a panel of experts.

The Guidebook for the Clergy

Will be updated to reflect the changes as a result of the The Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020 (Consequential, Saving, Transitional and Transitory Provisions) (EU Exit) Regulations 2020. These regulations amend the Marriage Act 1949 to provide a new definition of "relevant national".

Once finalised the updated version will be uploaded on to the usual page on GOV.UK. <https://www.gov.uk/government/publications/guidance-for-the-clergy>