



MARRIAGE ACT 1984

CIVIL PARTNERSHIP ACT 2011

**GUIDANCE ISSUED BY THE CLERK OF THE ROLLS**

under the Marriage Act 1984 sections 19(3) and 55  
and Civil Partnership Act 2011 section 7(3) and (9)

**Section 1 — Introduction**

(This section is not part of the statutory guidance.)

1. Since 1849 it has been possible for a marriage to be solemnized on the authority of a certificate of a registrar either in a “registered building” (a building used as a place of religious worship and registered with the Chief Registrar) or in a registrar’s office. From 1st August 2011 it will be possible for such a marriage to take place in the alternative venues listed in paragraph 3, with the consent of the Chief Registrar.
2. The status of civil partnership was introduced in the Isle of Man on 6th April 2011. Initially a ceremony of formation of a civil partnership could take place only at a registrar’s office, but from 1<sup>st</sup> August 2011 it will be possible for such a ceremony to take place in the alternative venues listed in paragraph 3, with the consent of the Chief Registrar.
3. The alternative venues are —
  - a. a place approved by the Chief Registrar;
  - b. any other place in the Isle of Man, but only with the consent of the owner of the place;
  - c. in (or over) the Isle of Man or its territorial waters aboard an approved aircraft, vehicle or vessel approved by the Chief Registrar;
  - d. in (or over) the Island or its territorial waters aboard any other aircraft, vehicle or vessel, but only with the consent of the owner of the aircraft, vehicle or vessel.
4. An approval under paragraph a or c may be for the purpose of marriages only, civil partnerships only, or both.
5. The power of the Chief Registrar to give or withhold approval or consent under paragraphs 2 and 3 must be exercised in accordance with guidance issued by the Clerk of the Rolls. The following sections of this document

constitute that guidance, and set out the factors and circumstances which the Chief Registrar must take into account.

## **Section 2 — Approval of places**

6. This section applies to the approval of a place for the purpose of the solemnization of marriages or the formation of civil partnerships or both.
7. The Chief Registrar must not approve a place except on an application made in writing by the owner of the place and complying with the following requirements:
  - a. the application must specify —
    - i. the full name and address of the applicant;
    - ii. the address and description of the place;
    - iii. the nature of the applicant’s proprietary interest in the place;
    - iv. whether approval is sought for the purpose of marriages, civil partnerships or both;
  - b. the application must be accompanied by —
    - i. 5 copies of a plan at suitable scales showing the location and appropriate details of the place;
    - ii. the appropriate fee;
  - c. the application must be signed by the applicant or (if the applicant is a body corporate) by the applicant’s authorised representative.
8. The Chief Registrar must not approve a place unless, after proper inspection and reports, he is satisfied —
  - a. that, having regard to its primary use, location, construction and state of repair, it is a seemly and dignified location for the solemnization of marriages or the formation of civil partnerships, as the case may be;
  - b. that it will be regularly available to the public for use for the solemnization of marriages or the formation of civil partnerships, as the case may be;
  - c. that there are provided at the place such fire precautions, means of escape in case of fire and other measures for the health and safety of persons employed at or visiting the place as, after consulting the appropriate authorities, he considers are reasonably required.
9. In applying the criteria in paragraph 8.a the Chief Registrar —
  - a. should give preference to hotels, historic buildings and civic and other public edifices which not only have facilities for accommodating those

attending important ceremonies but also provide a dignified setting for them;

- b. should not approve the whole of a building or complex, but only those rooms or other parts of it which are suitable for holding such ceremonies;
  - c. should not approve a place the state or condition of which, or the primary use of which, would detract from the solemnity or dignity of the occasion or bring into disrepute the institution of marriage or civil partnership, as the case may be;
  - d. should not approve an open space (whether or not the site or intended site of a marquee or other temporary structure) except as part of a place which includes one or more permanent rooms or structures in which a ceremony may take place in case of bad weather.
10. The Chief Registrar must attach the following conditions to any approval under section 2 – Approval of places(which will be valid for 3 years unless revoked):
- a. In these conditions “ceremony” means the solemnization of any marriage or the formation of any civil partnership conducted at an approved place, and includes any proceedings introductory to, in the intervals of or concluding such solemnization or formation.
  - b. The owner of the approved place must ensure that, during a period beginning one hour before any ceremony and ending one hour after the conclusion of the ceremony, an individual (either the owner or authorised by the owner) is present at the place with authority to direct persons taking part in or attending the ceremony.
  - c. During a period beginning one hour before any ceremony and ending at the conclusion of the ceremony –
    - i. a suitable notice of the ceremony must be displayed at the main entrance of the place (and, in the case of a place forming part of any premises, at the main entrance of the premises) identifying and giving directions to the room or other part of the place in which the ceremony is to be conducted;
    - ii. no food or drink may be supplied or consumed in that room or other part of the place in which the ceremony is to be conducted.
  - d. The arrangements for and content of the ceremony must be approved in advance by a registrar.
  - e. No part of any ceremony may be religious in nature, and in particular may not --

- i. be led or conducted by a minister of religion or similar officer of a religious denomination;
    - ii. include the whole of or any extract from a religious service, worship or ritual, sacred or religious text, or hymn or other religious song or chant (disregarding any reading or song which contains incidental references to a deity in a non-religious context).
  - f. The owner of the approved place must allow any person authorised for the purpose by the Chief Registrar to inspect the place at any reasonable time after giving reasonable notice of his intention to do so, for the purpose of ascertaining –
    - i. the state and condition of the place and of any premises of which it forms part; and
    - ii. the fire precautions, means of escape in case of fire and other measures for the health and safety of persons employed at or visiting the place.
  - g. A copy of the notice under paragraph 11.a must be displayed at all times in a prominent situation at the place.
  - h. Convenient parking places must be reserved for the use of the registrar by whom the ceremony is to be conducted and his or her clerk.
- 11. The decision of the Chief Registrar on an application for approval of any place must be given by notice in writing to the applicant which –
  - a. in the case of an approval, must specify –
    - i. the address and description of the place;
    - ii. whether approval is given for the purpose of marriages, civil partnerships or both;
    - iii. the conditions attached to the approval under paragraph 10 and any other conditions considered appropriate by the Chief Registrar;
  - b. in the case of a refusal, must state –
    - i. the reasons for the refusal,
    - ii. that an appeal lies to the High Bailiff against the decision, and
    - iii. the time within which and the manner in which such an appeal may be brought.

### **Section 3 — Approval of aircraft, vehicles and vessels**

12. This section applies to the approval of an aircraft, vehicle or vessel for the purpose of the solemnization of marriages or the formation of civil partnerships or both.
13. The Chief Registrar must not approve an aircraft, vehicle or vessel except on an application made in writing by the owner of the aircraft, vehicle or vessel and complying with the following requirements:
  - a. the application must specify —
    - i. the full name and address of the applicant;
    - ii. a description of the aircraft, vehicle or vessel;
    - iii. in the case of an aircraft, its state of registry and registration mark;
    - iv. in the case of a mechanically propelled vehicle, its registration mark and the name and address of its registered keeper;
    - v. in the case of a vessel, its port of registry, name and registration mark (if any);
    - vi. where the aircraft, vehicle or vessel is normally kept or moored, as the case may be;
    - vii. whether approval is sought for the purpose of marriages, civil partnerships or both;
  - b. the application must be accompanied by —
    - i. photographs of the aircraft, vehicle or vessel;
    - ii. 3 copies of a plan at a suitable scale of the aircraft, vehicle or vessel, showing in particular the accommodation which is to be used for the solemnization of marriages or the formation of civil partnerships, as the case may be;
    - iii. Copy of current vessel survey or aircraft certification
    - iv. the appropriate fee;
  - c. the application must be signed by the applicant or (if the applicant is a body corporate) by the applicant's authorised representative.
14. The Chief Registrar must not approve an aircraft, vehicle or vessel unless, after proper inspection and reports, he is satisfied —
  - a. that it is airworthy, roadworthy or seaworthy, as the case may be;
  - b. that, having regard to its nature, accommodation, size, construction and state of repair, it is a seemly and dignified location for the

solemnization of marriages or the formation of civil partnerships, as the case may be;

- c. that it will be regularly available to the public for use for the solemnization of marriages or the formation of civil partnerships, as the case may be.

15. In applying the criteria in paragraph 14.b the Chief Registrar —

- a. should give preference to aircraft, vehicles and vessels which not only have facilities for accommodating those attending important ceremonies but also provide a dignified setting for them;
- b. should not approve an aircraft, vehicle or vessel the nature, accommodation, size, construction, state of repair or condition of which would detract from the solemnity or dignity of the occasion or bring into disrepute the institution of marriage or civil partnership, as the case may be.

16. The Chief Registrar must attach the following conditions to any approval under section 3 – Approval of aircraft, vehicles and vessels (which will be valid for 3 years unless revoked):

- a. In these conditions “ceremony” means the solemnization of any marriage or the formation of any civil partnership conducted on board an approved aircraft, vehicle or vessel, and includes any proceedings introductory to, in the intervals of or concluding such solemnization or formation.
- b. The owner of the approved aircraft, vehicle or vessel must ensure that, at all times when persons taking part in or attending or proposing to take part in or attend any ceremony are on board or in the vicinity of the aircraft, vehicle or vessel, an individual (either the owner or authorised by the owner) is on board and in command or charge of it with authority to direct persons taking part in or attending the ceremony and other persons on board the aircraft, vehicle or vessel.
- c. During a period beginning 30 minutes before any ceremony and ending at the conclusion of the ceremony –
  - i. a suitable notice of the ceremony must be displayed at the main entrance of the place where the aircraft, vehicle or vessel will be located during the ceremony or, if the ceremony is to take place in the course of a flight, journey or passage, at the place of departure, identifying and giving directions to the aircraft, vehicle or vessel;
  - ii. no food or drink may be supplied or consumed on board the aircraft, vehicle or that part of the vessel in which the ceremony is to be conducted.

- d. The arrangements for and content of the ceremony must be approved in advance by a registrar.
  - e. No part of any ceremony may be religious in nature, and in particular may not --
    - i. be led or conducted by a minister of religion or similar officer of a religious denomination;
    - ii. include the whole of or any extract from a religious service, worship or ritual, sacred or religious text, or hymn or other religious song or chant (disregarding any reading or song which contains incidental references to a deity in a non-religious context).
  - f. The owner of the approved aircraft, vehicle or vessel must allow any person authorised for the purpose by the Chief Registrar to inspect it at any reasonable time after giving reasonable notice of his intention to do so, for the purpose of ascertaining –
    - i. the state and condition of the aircraft, vehicle or vessel and of any means of access to and egress from it; and
    - ii. the fire precautions, means of escape in case of emergency and other measures for the health and safety of persons employed at or visiting the aircraft, vehicle or vessel.
  - g. A copy of the notice under paragraph 17.a must be displayed at all times in a prominent situation on board the aircraft, vehicle or vessel.
  - h. Convenient parking places must be reserved for the use of the registrar by whom the ceremony is to be conducted and his or her clerk at the place where the aircraft, vehicle or vessel will be located during the ceremony or, if the ceremony is to take place in the course of a flight, journey or passage, at the place of departure (and in that case transport must, where necessary, be provided to return the registrar and clerk to that place at the conclusion of the ceremony).
17. The decision of the Chief Registrar on an application for approval of any aircraft, vehicle or vessel must be given by notice in writing to the applicant which –
- a. in the case of an approval, must specify –
    - i. the name or registration mark of the aircraft, vehicle or vessel or other description identifying it;
    - ii. whether approval is given for the purpose of marriages, civil partnerships or both;
    - iii. the conditions attached to the approval under paragraph 16 and any other conditions considered appropriate by the Chief Registrar;

- b. in the case of a refusal, must state –
  - i. the reasons for the refusal,
  - ii. that an appeal lies to the High Bailiff against the decision, and
  - iii. the time within which and the manner in which such an appeal may be brought.

#### **Section 4 — Consent to solemnization of marriage or formation of civil partnership**

18. This section applies to the consent of the Chief Registrar to the solemnization of a marriage or the formation of a civil partnership at any place or on board any aircraft, vehicle or vessel.

##### **A. Approved place**

19. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership at a place approved for the solemnization of marriages or the formation of civil partnerships, as the case may be, except on an application made in writing by either or both of the parties not later than 42 days before the date of the intended marriage or formation.

20. An application under paragraph 19 --

- a. must specify —
  - i. the full names and addresses of the parties;
  - ii. the address and description of the place;
  - iii. the date and time of the intended marriage or formation of civil partnership;
- b. must be accompanied by the appropriate fee.

21. The Chief Registrar must consent to the solemnization of a marriage or the formation of a civil partnership at a place specified in an application under paragraph 19 unless it appears to him –

- a. that, on account of any alteration, lack of repair or other circumstances, approval under section 2 would not be given to the place if an application for such approval were then made to him, or
- b. that any condition under paragraph 10 has been contravened in relation to the place and that appropriate steps have not been taken to prevent any future breach of that condition.

22. The Chief Registrar must give his decision on an application under paragraph 19 by notice in writing to the applicant or applicants not later than 21 days before the date of the intended marriage or formation, and the notice --

- a. if the application is granted, must set out the conditions attached to the approval of the place under paragraph 10;



- b. if the application is refused, must state –
  - i. the reasons for the refusal,
  - ii. that an appeal lies to the High Bailiff against the decision, and
  - iii. the time within which and the manner in which such an appeal may be brought.

**B. Place other than an approved place**

23. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership at a place other than –

- i. a registrar's office,
- ii. a registered building (in the case of a marriage), or
- iii. a place approved for the solemnization of marriages or the formation of civil partnerships, as the case may be,

except on an application made in writing by either or both of the parties not later than 42 days before the date of the intended marriage or formation.

24. An application under paragraph 23 --

- a. must specify —
  - i. the full names and addresses of the parties;
  - ii. the address and description of the place;
  - iii. the name and address of the owner of the place;
  - iv. the date and time of the intended marriage or formation of civil partnership;
  - v. the number of persons expected to attend the intended marriage or formation of civil partnership;
  - vi. particulars of the means of escape from the place in case of fire;
- b. must be accompanied by –
  - i. evidence in writing of the consent of the owner of the place to the solemnization of the marriage or the formation of the civil partnership there at the specified date and time;
  - ii. 3 copies of a plan at a suitable scale or photographs of the place, showing in particular the accommodation which is to be used for the solemnization of the marriage or the formation of the civil partnership, as the case may be;
  - iii. the appropriate fee.

25. The Chief Registrar must give his decision on an application under paragraph 23 by notice in writing to the applicant or applicants not later than 21 days before the date of the intended marriage or formation.
26. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership at a place specified in an application under paragraph 23 unless, after proper inspection and reports, he is satisfied —
  - a. that, having regard to its primary use, location, construction and state of repair, it is a seemly and dignified location for the solemnization of the marriage or the formation of the civil partnership, as the case may be; and
  - b. that there are provided at the place such means of escape in case of fire as he considers are reasonably required.
27. If the Chief Registrar decides to grant his consent on an application under paragraph 23, he must attach the following conditions to the consent, and the conditions must be set out in the notice under paragraph 25:
  - a. In these conditions “ceremony” means the solemnization of any marriage or the formation of any civil partnership conducted at the place, and includes any proceedings introductory to, in the intervals of or concluding such solemnization or formation.
  - b. The owner of the place must ensure that, during a period beginning one hour before any ceremony and ending one hour after the conclusion of the ceremony, an individual (either the owner or authorised by the owner) is present at the place with authority to direct persons taking part in or attending the ceremony.
  - c. During a period beginning one hour before any ceremony and ending at the conclusion of the ceremony —
    - i. a suitable notice of the ceremony must be displayed at the main entrance of the place (and, in the case of a place forming part of any premises, at the main entrance of the premises) identifying and giving directions to the room or other part of the place in which the ceremony is to be conducted;
    - ii. no food or drink may be supplied or consumed in that room or other part of the place.
  - d. The arrangements for and content of the ceremony must be approved in advance by a registrar.
  - e. No part of the ceremony may be religious in nature, and in particular may not --
    - i. be led or conducted by a minister of religion or similar officer of a religious denomination;

- ii. include the whole of or any extract from a religious service, worship or ritual, sacred or religious text, or hymn or other religious song or chant (disregarding any reading or song which contains incidental references to a deity in a non-religious context).
- f. The owner of the place must allow any person authorised for the purpose by the Chief Registrar to inspect the place at any reasonable time before the conclusion of the ceremony, after giving reasonable notice of his intention to do so, for the purpose of ascertaining –
- i. the state and condition of the place and of any premises of which it forms part; and
  - ii. the fire precautions, means of escape in case of fire and other measures for the health and safety of persons employed at or visiting the place.
- g. Convenient parking places must be reserved for the use of the registrar by whom the ceremony is to be conducted and his or her clerk.

Such other conditions the Chief Registrar considers to be appropriate.

28. If the Chief Registrar decides to refuse his consent on an application under paragraph 23, the notice under paragraph 25 must state –
- i. the reasons for the refusal,
  - ii. that an appeal lies to the High Bailiff against the decision, and
  - iii. the time within which and the manner in which such an appeal may be brought.

**C. Approved aircraft, vehicle or vessel**

29. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership on an aircraft, vehicle or vessel approved for the purpose of the solemnization of marriages or the formation of civil partnerships, as the case may be, except on an application made in writing by either or both of the parties not later than 42 days before the date of the intended marriage or formation.
30. An application under paragraph 29 --
- a. must specify —
    - i. the full names and addresses of the parties;
    - ii. the description of the aircraft, vehicle or vessel;
    - iii. the place where the aircraft, vehicle or vessel will be at the time of the ceremony or, if it is intended that the ceremony

will take place in the course of a flight, journey or passage, the proposed itinerary;

- iv. the date and time of the ceremony;
  - b. must be accompanied by the appropriate fee.
  - c. Approval from the Harbour or Airport authorities to the proposed arrangements
31. The Chief Registrar must consent to the solemnization of a marriage or the formation of a civil partnership on an aircraft, vehicle or vessel specified in an application under paragraph 29 unless it appears to him –
- a. that, on account of any alteration, lack of repair or other circumstances, approval under section 3
  - b. would not be given to the place if an application for such approval were then made to him, or
  - c. that any condition under paragraph 16 has been contravened in relation to the aircraft, vehicle or vessel and that appropriate steps have not been taken to prevent any future breach of that condition.
32. The Chief Registrar must give his decision on an application under paragraph 29 by notice in writing to the applicant or applicants not later than 21 days before the date of the intended marriage or formation, and the notice --
- a. if the application is granted, must set out the conditions attached to the approval of the aircraft, vehicle or vessel under paragraph 16;
  - b. if the application is refused, must state –
    - i. the reasons for the refusal,
    - ii. that an appeal lies to the High Bailiff against the decision, and
    - iii. the time within which and the manner in which such an appeal may be brought.
- D. Aircraft, vehicle or vessel other than an approved aircraft, vehicle or vessel**
33. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership on board an aircraft, vehicle or vessel other than one approved under section 3 except on an application made in writing by either or both of the parties not later than 42 days before the date of the intended marriage or formation.
34. An application under paragraph 33 must comply with the following requirements:
- a. the application must specify –

- i. the full names and addresses of the parties;
  - ii. a description of the aircraft, vehicle or vessel (with the appropriate particulars as referred to in paragraph 13.a.iii, iv or v and paragraph 13.a.vi);
  - iii. the name and address of the owner of the aircraft, vehicle or vessel;
  - iv. the place where the aircraft, vehicle or vessel will be at the time of the ceremony or, if it is intended that the ceremony will take place in the course of a flight, journey or passage, the proposed itinerary;
  - v. the date and time of the ceremony;
  - vi. the number of persons expected to attend the ceremony;
  - vii. particulars of the means of access to and egress from the aircraft, vehicle or vessel, and the means of escape in case of emergency.
- b. the application must be accompanied by –
- i. photographs of the aircraft, vehicle or vessel;
  - ii. evidence in writing of the consent of the owner of the aircraft, vehicle or vessel to the solemnization of the marriage or the formation of the civil partnership there at the specified date and time;
  - iii. approval of the Harbour or Airport authority to the arrangements
  - iv. the appropriate fee.
35. The Chief Registrar must give his decision on an application under paragraph 33 by notice in writing to the applicant or applicants not later than 21 days before the date of the intended marriage or formation.
36. The Chief Registrar must not consent to the solemnization of a marriage or the formation of a civil partnership on board an aircraft, vehicle or vessel specified in an application under paragraph 33 unless, after proper inspection and reports, he is satisfied –
- a. that it is airworthy, roadworthy or seaworthy, as the case may be;
  - b. that, having regard to its nature, accommodation, size, construction and state of repair, it is a seemly and dignified location for the solemnization of marriages or the formation of civil partnerships, as the case may be; and

- c. that there are provided on board the aircraft, vehicle or vessel such means of escape in case of emergency as he considers are reasonably required.
37. If the Chief Registrar decides to grant his consent on an application under paragraph 33, he must attach the following conditions to the consent, and the conditions must be set out in the notice under paragraph 35:
- a. In these conditions "ceremony" means the solemnization of any marriage or the formation of any civil partnership conducted on board the aircraft, vehicle or vessel, and includes any proceedings introductory to, in the intervals of or concluding such solemnization or formation.
  - b. The owner of the aircraft, vehicle or vessel must ensure that, at all times when persons taking part in or attending or proposing to take part in or attend any ceremony are on board or in the vicinity of the aircraft, vehicle or vessel, an individual (either the owner or authorised by the owner) is on board and in command or charge of it with authority to direct persons taking part in or attending the ceremony and other persons on board the aircraft, vehicle or vessel.
  - c. During a period beginning 30 minutes before any ceremony and ending at the conclusion of the ceremony –
    - i. a suitable notice of the ceremony must be displayed at the main entrance of the place where the aircraft, vehicle or vessel will be located during the ceremony or, if the ceremony is to take place in the course of a flight, journey or passage, at the place of departure, identifying and giving directions to the aircraft, vehicle or vessel;
    - ii. no food or drink may be supplied or consumed on board that aircraft, vehicle or that part of the vessel in which the ceremony is to be conducted.
  - d. The arrangements for and content of the ceremony must be approved in advance by a registrar.
  - e. No part of the ceremony may be religious in nature, and in particular may not --
    - i. be led or conducted by a minister of religion or similar officer of a religious denomination;
    - ii. include the whole of or any extract from a religious service, worship or ritual, sacred or religious text, or hymn or other religious song or chant (disregarding any reading or song which contains incidental references to a deity in a non-religious context).
  - f. The owner of the aircraft, vehicle or vessel must allow any person authorised for the purpose by the Chief Registrar to inspect it at any

reasonable time before the conclusion of the ceremony, after giving reasonable notice of his intention to do so, for the purpose of ascertaining –

- i. the state and condition of the aircraft, vehicle or vessel and of any means of access to and egress from it; and
  - ii. the fire precautions, means of escape in case of emergency and other measures for the health and safety of persons employed at or visiting the aircraft, vehicle or vessel.
- g. Convenient parking places must be reserved for the use of the registrar by whom the ceremony is to be conducted and for his or her clerk at the place where the aircraft, vehicle or vessel will be located during the ceremony or, if the ceremony is to take place in the course of a flight, journey or passage, at the place of departure (and in that case transport must, where necessary, be provided to return the registrar and his or her clerk to that place at the conclusion of the ceremony).

Such other conditions the Chief Registrar considers to be appropriate.

38. If the Chief Registrar decides to refuse his consent on an application under paragraph 33, the notice under paragraph 35 must state –
- i. the reasons for the refusal,
  - ii. that an appeal lies to the High Bailiff against the decision, and
  - iii. the time within which and the manner in which such an appeal may be brought.

D.C. Doyle

Her Majesty's First Deemster and Clerk of the Rolls

Dated 23<sup>rd</sup> June 2011