

Church of England Weddings in Tiered restrictions in England

The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020 came into force on 2nd December 2020 and are scheduled to expire on 2nd February 2021. They impose the following restrictions on Church of England marriage ceremonies (and wedding receptions following a wedding) in the respective Tiers:

Tier 1:

A Church of England wedding may take place in Church provided that no more than 15 persons are present (excluding the officiating minister) and that a Covid risk assessment has been undertaken and all necessary precautions to reduce the risks of transmission are taken.

A wedding is also permitted to take place in a hospital, hospice or a private home where one of the parties to the marriage is seriously ill and not expected to recover provided that an Archbishop's Special Licence has been issued and that no more than 6 persons are present (excluding the officiant).

A wedding reception attended by no more than 15 persons may take place in premises other than a private dwelling and that the gathering organiser or manager takes the required precautions in relation to the gathering.

Tier 2:

A Church of England wedding may take place in Church provided that no more than 15 persons are present (excluding the officiating minister) and that all the required precautions in relation to the gathering are taken and followed.

A wedding is also permitted to take place in a hospital, hospice or a private home where one of the parties to the marriage is seriously ill and not expected to recover provided that an Archbishop's Special Licence has been issued and that no more than 6 persons are present (excluding the officiant).

A wedding reception attended by no more than 15 persons may take place in premises other than a private dwelling and that the gathering organiser or manager takes the required precautions in relation to the gathering.

Tier 3:

A Church of England wedding may take place in Church provided that no more than 15 persons are present (excluding the officiating minister) and that all the required precautions in relation to the gathering are taken and followed.

A wedding is also permitted to take place in a hospital, hospice or a private home where one of the parties to the marriage is seriously ill and not expected to recover provided that an Archbishop's Special Licence has been issued and that no more than 6 persons are present (excluding the officiant).

A wedding reception may not take place.

Tier 4:

A Church of England wedding may take place in Church provided that no more than 6 persons are present (excluding the officiating minister) and that all the required precautions in relation to the gathering have been taken and are followed.

A wedding is also permitted to take place in a hospital, hospice or a private home where one of the parties to the marriage is seriously ill and not expected to recover provided that an Archbishop's Special Licence has been issued and that no more than 6 persons are present (excluding the officiant).

A wedding reception may not take place.

Please note that it is the area where the church is located which determines which Tier restrictions apply. Other restrictions may apply to guests travelling to attend a wedding, particularly if they live in an area which is in a higher Tier (and therefore with greater restrictions) than the area where the marriage is to take place. It is the responsibility of all couples and their guests to ensure that they comply with the restrictions applicable to their area.

The Faculty Office
2nd December 2020

UPDATE – 5th January 2021

Weddings in the Church of England during Lockdown III from 6th January 2021

The Health Protection (Coronavirus, Restrictions) (No. 3) and (All Tiers) (England) (Amendment) Regulations 2021 come into force on 6th January 2021 and make the following relevant amendments to the *The Health Protection (Coronavirus, Restrictions) (All Tiers) (England) Regulations 2020*:

- The whole of England becomes subject to enhanced Tier 4 restrictions; and
- the expiry date of the Regulations is extended from 2nd February to 31st March 2021

The Tier 4 restrictions on weddings in the Church of England are:

- A Church of England wedding may take place in church provided that no more than 6 persons are present (excluding the officiating minister and any verger or similar who is working at the wedding) and that all the required precautions to make the building and gathering as Covid-secure as possible have been taken and are followed.
- A wedding is also permitted to take place in a hospital, hospice or a private home where one of the parties to the marriage is seriously ill and not expected to recover provided that an Archbishop's Special Licence has been issued and that no more than 6 persons are present (excluding the officiant and anyone else working).

The Government issued Guidelines issued on 4th January which state that:

"Weddings, civil partnership ceremonies and funerals are allowed with strict limits on attendance, and must only take place in COVID-19 secure venues or in public outdoor spaces unless in exceptional circumstances.

Funerals can be attended by a maximum of 30 people. Linked religious, belief-based or commemorative events, such as stone settings and ash scatterings can also continue with up to 6 people in attendance. Anyone working is not counted in these limits. Social distancing should be maintained between people who do not live together or share a support bubble.

Weddings and civil partnership ceremonies must only take place with up to 6 people. Anyone working is not included. These should only take place in exceptional circumstances, for example, an urgent marriage where one of those getting married is seriously ill and not expected to recover, or is to undergo debilitating treatment or life-changing surgery."

What is the difference between legislation and guidance? To find out exactly what the rules are during the coronavirus pandemic it is necessary to look at both legislation and government guidance. Legislation sets out legal obligations and restrictions that are enforceable by law. If you do not abide by the legislation you are breaking the law. Guidance and advice is likely to be based on legislation (in which case it will be legally binding) and it might offer the best or most appropriate way to adhere to the law.

The legislation is what you must do; the guidance might be a mixture of what you must do and what you should do.

The legislation allows weddings in Church with up to 6 persons and, what we term 'emergency weddings' by Special Licence in hospital, hospice or home where a party is terminally ill. The guidance is, in some ways, more restrictive than the legislation in that it says that any wedding should only take place in exceptional circumstances. The guidance cites examples of exceptional circumstances as being emergency marriages and/or those where one of the parties is to undergo debilitating treatment or life-changing surgery.

These are examples of 'exceptional circumstances' and there may be other situations which might also amount to exceptional circumstances under which a wedding might still be able to take place in Church with the maximum of 6 persons present (excluding the officiating minister) which the legislation permits. It will be necessary to consider the individual circumstances in each case to assess whether a particular wedding should proceed even where, in strict legal terms, it can proceed.

The Faculty Office
5th January 2021