



## **Marriage in the Church**

### **A. Length of Notice and Marriage Preparation**

It is expected that clergy will officiate at weddings in the Anglican Church or assist in weddings in other churches only in accordance with the marriage discipline as outlined in Canon XXI "On Marriage in the Church".

[http://images.anglican.ca/pdf/handbook/221\\_canon\\_XXI.pdf](http://images.anglican.ca/pdf/handbook/221_canon_XXI.pdf)

The couple is to be encouraged to sign the declaration found in Schedule A of the Canon. Canon XXI of General Synod requires that no marriage may be solemnized without at least 60 days notice to the priest. This may be waived for sufficient cause after consultation with the bishop.

The form of solemnization of matrimony is intended to be used in marriage between Christians. A cleric may not officiate at weddings of two persons neither of whom are baptized.

### **B. Parties to the Marriage**

1. Any priest who holds a Licence or General Permit of the Bishop of Huron and who feels called to perform marriages: a. may marry any two persons who are permitted to marry pursuant to the secular laws of Ontario provided that:
  - (i) the couple has a pastoral relationship with the priest; and
  - (ii) at least one of the persons is baptized; and
  - (iii) the couple has actively participated in preparation for Christian marriage as approved by the priest. A cleric may not marry couples who have not participated in pre-marriage preparation. And
  - (iv) all the requirements of the civil law of Ontario for the making of a valid marriage are met;
2. No priest shall be compelled to marry any particular couple.
3. If a priest does not feel called to marry couples of the same gender but has been asked by such a couple about marriage, then that priest shall refer the couple to a priest who feels called to marry such couples, or shall refer them to the Bishop's Office.
4. Any priest licensed by the Bishop of Huron is permitted:
  - (a) to teach and uphold a theology of marriage that requires the couple to be of opposite genders, or



- (b) to teach and uphold a theology of marriage that does not require the couple to be of opposite genders.

### **C. Licences and Banns**

It is the responsibility of every member of the clergy to inform persons requesting a marriage that they **MUST** either have the banns read, if appropriate, or obtain a proper marriage licence, and that the responsibility for obtaining such a licence is theirs. They should also be informed that without a licence or banns, the service cannot be performed no matter what the excuse may be. Section 4 of the Marriage Act clearly states that no marriage may be solemnized except under the authority of a licence issued in accordance with the Act or the publication of banns. It is suggested that every member of the clergy require persons requesting a marriage to deliver the licence at least a week before the service is to take place to allow some control over the situation.

A couple wishing to marry in Ontario, may purchase a marriage licence and be married the same day. For Anglican clergy, however, the 60 day notice period imposed by Canon XXI still applies to marriages they solemnize.

In all cases of marriage after divorce, the Marriage Act requires that a licence must be obtained. Where one member of the couple has been divorced, a marriage by Banns may not take place.

It is recommended that all marriages take place by licence (rather than banns) even if banns are published as a courtesy.

If banns are published, the legal forms must be adhered to.

### **D. Authorized service rites:**

1. All marriages may be solemnized using an amended version of the rite from The Episcopal Church. These rites may be found here.
2. Opposite-sex marriages may be solemnized using the rites found in the Book of Common Prayer (1962) and the Book of Alternative Services (1985.)

### **E. Change of Name**

According to the Change of Name Act, the spouse (either one) has three options following marriage:

1. Continue to use his/her current last name;
2. "Assume" the use of the spouse's last name (without legally changing it);



3. Legally change his/her last name (to what the other spouse's last name was immediately prior to the marriage or to a hyphenated or combined last name incorporating the last names of both spouses). A special form is included with the marriage licence which the couple has the option of completing and returning to the Office of the Registrar General. Please refer interpretations of this Act to the Office of the Registrar General.

#### **F. Wedding Services in Holy Week**

In the matter of solemnization of holy matrimony during Holy Week, unless there are exceptional circumstances, such weddings are to be discouraged. It has been a long standing tradition in the church that Holy Week is not the time for solemnization of matrimony.

#### **G. Place of Marriage (General Synod Canon XXI. 11. 12)**

1. Marriage is a public act and should be solemnized in the face of the community and of friends and neighbours of the couple.
2. Every marriage shall be solemnized in the presence of at least two witnesses in addition to the officiating minister.
3. The body of the church is the appropriate place for the solemnization of a marriage but a marriage may be solemnized in another location if the priest, after consultation with the bishop, is satisfied that the solemnity and public nature of the occasion will be preserved and that the service will be conducted with dignity in godly and decent order.

If a marriage outside of a church building is requested, the priest must obtain the bishop's permission in accordance with the Diocesan Guidelines which may be found at <http://diohuron.org/wp-content/uploads/2016/10/1.12-Marriage-outside-of-the-Church.pdf>

#### **H. Officiating at Weddings Outside the Diocese**

Marriages outside of the diocese can only be solemnized by clergy who have the express permission of the bishop of the diocese in which the marriage is to take place. Included in this permission would be a decision about where the marriage is to be held. Clergy who do not hold a Licence or General Permit from the Bishop of Huron must obtain the permission of the diocesan Bishop in order to solemnize a marriage in the Diocese of Huron. These marriages must conform to the marriage guidelines of the diocese.

#### **I. Marriage Registers**

Weddings which take place outside a church should be registered in the parish marriage register of the priest who is solemnizing the wedding or in the register of the parish on



whose behalf the marriage is being celebrated. Clergy from outside the Diocese of Huron or those with no parochial attachment in the diocese may borrow the central diocesan register maintained at Huron Church House in order to register the wedding.

**J. Impediment of Relationship (General Synod Canon XXI. 1. 3)**

1. Notwithstanding the Table of Kindred and Affinity contained in the Book of Common Prayer (1962), the minister shall, with respect to the impediment of relationship, be guided by the Marriage (Prohibited Degrees) Act, as it was in force on June 1, 2004, which prohibits marriage between persons who are related:
  - (i) lineally by consanguinity or adoption,
  - (ii) as brother and sister by consanguinity, whether by the whole blood or the half blood, or
  - (iii) as brother and sister by adoption.
2. In addition to marriages prohibited by law, no person may marry another person if they both live, or have previously lived, in the same household and one of them is or has been treated by the other as a child or parent.