




**APPLICATION FOR PERIOD APPROVAL  
AS AN APPROVED PLACE FOR MARRIAGES**  
IN PURSUANCE OF REGULATION 3 OF THE MARRIAGE  
(APPROVAL OF PLACES) (SCOTLAND) REGULATIONS  
2002 (S.S.I. No. 260/2002)

This form, when completed, must be forwarded to the Registrar at County Buildings, Lerwick, Shetland, ZE1 0HD, **together with the fee of £200** (cheques payable to Shetland Islands Council).

1. I apply for the place (or vessel in Scottish waters) named at item 2 below to be approved for use by the public for the solemnisation of civil marriages in the presence of a registrar.
2. I attach **one copy of a plan/description of the place**, which clearly indicates the area where marriage ceremonies will take place.
3. I attach **details of public liability insurance** in respect of the place (or vessel in Scottish waters) for which approval is sought.
4. I understand that –
  - a) the place (or vessel in Scottish waters) must satisfy the local authority on fire precautions and health and safety provisions.
  - b) the place (or vessel in Scottish waters) will be inspected for suitability before approval is granted and, if this application is successful, may be subject to subsequent inspection;
  - c) approval, if granted, will not exceed a three year period, subject to revocation, suspension or variation; and
5. I declare that –
  - a) I have read and understood the information contained in this form and **Appendices 1, 2 and 3**;
  - b) the place (or vessel in Scottish waters) has no recent or continuing religious connection;
  - c) I have obtained any necessary permissions regarding use of and access to the place; and
6. I further declare that, if approval is granted, I will comply with the standard conditions (**Annex A**) and any local conditions (**Annex B**) attached to that grant of approval.

This application may be made by any person. If successful the applicant will be the holder of the approval.

 **Data Protection Act 1998.** The information supplied will only be used in connection with this application, and will not be used for any other purpose without your explicit consent.

Signature of applicant: \_\_\_\_\_ Date \_\_\_\_\_

Interest in the place: [e.g. owner, tenant] \_\_\_\_\_

Address for correspondence, contact telephone and fax numbers, e-mail address:

Address \_\_\_\_\_

Telephone (day) \_\_\_\_\_ (evening) \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

<p>1. Full names and private addresses of applicant(s).</p> <p>If the application is made by a limited company please give the address of the registered office and, where different, state also the main trading address of the Company.</p>	
<p>2. Name, postal address and telephone number of the place or vessel which is the subject of this application</p>	
<p>3. Please describe the nature of the place or vessel at question 2 (e.g. hotel, stately home, civic accommodation) and the primary and other uses to which it is regularly put.</p>	
<p>4. Is the person or company named in reply to question 1 the occupier of the place or vessel?</p>	YES/NO
<p>5. If the answer to question 4 above is 'No' and there is another occupier, please give their name(s) and address(es)</p>	
<p>6. Does the place or vessel currently have the benefit of any licence authorising use for public entertainment or similar purposes?</p> <p><b>If so please attach a copy</b></p>	YES/NO
<p>7. For applications relating to a vessel in Scottish Waters please provide: _</p> <p>i) any intended position or area of operation where it is intended that civil marriages will be solemnised,</p> <p>ii) the location at which the vessel may be inspected,</p> <p>iii) the intended points where the registrar would embark and disembark.</p>	
<p>Checklist:</p> <p>I have enclosed the fee of £200 <input type="checkbox"/></p> <p>I have attached one copy of a plan/description of the place <input type="checkbox"/></p> <p>I have attached details of current public liability insurance <input type="checkbox"/></p> <p>I have attached copies of any current licences that apply <input type="checkbox"/></p> <p>I have signed the form and completed my contact details <input type="checkbox"/></p>	



**Shetland Islands Council**  
**Licensing Scheme for the Approval of Places for the Conduct of Civil Marriages**

*Period Applications for a 3 year licence may be made by any person who, if the application is successful, will be the holder of the licence*

**GUIDANCE FOR THOSE WHO WISH TO MARRY AT AN APPROVED PLACE**

1. As soon as a couple has made provisional arrangements for their marriage at an approved place or in or on an approved vessel in Scottish waters they should be advised to contact the registrar for the district in which the place is situated at.
2. Without the presence of the registrar there can be no marriage and any arrangements for the use of the place or vessel in Scottish waters depend entirely on the registrar's availability. It is, therefore, essential that the couple make an advance booking with the registrar for his or her attendance at their proposed marriage as soon as a booking can be accepted. A fee for this attendance will be payable in advance of the ceremony.
3. Each of the couple will also have to complete a formal notice of marriage and lodge it with the district registrar not more than three months, and not less than fifteen days, before the wedding.
4. The couple should be warned that any arrangements made for a marriage to take place at the approved place or in or on the approved vessel in Scottish waters are dependent on:
  - a) the attendance of the registrar for the district in which the place is situated ( or as the case may be, the proposed authorised registrar of the relevant authority); and
  - b) the issue of the schedule for marriage by the registrar to whom notice of marriage was given.
5. The couple should be advised that only a civil **non-religious** ceremony can be permitted by the registrar. Any music, reading, words or performance which form any part of the ceremony must be secular. The content of the ceremony must be agreed in advance with the registrar who will be attending the ceremony.
6. Any rights of copyright for music, reading etc permitted at the ceremony are a matter for the couple and the holder of the approval.

**NOTES ON THE REQUIREMENTS BEFORE AN APPROVAL CAN BE GRANTED**

The non-returnable fee for this application is £200 and must be submitted with the application to the Chief Registrar, County Buildings, Lerwick, Shetland, ZE1 0HD.

Please note that Regulation 7(2) of the Regulations requires a local authority not to grant an approval if, in its opinion, the place or vessel in Scottish waters:

1. will compromise the solemnity and dignity of civil marriage;
2. has a recent or continuing connection with any religion or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages; or
3. does not fulfil any other reasonable requirements which the authority considers appropriate to ensure that the facilities provided at the place are suitable.

The application will be processed as quickly as possible and, in any event, within sixty calendar days of receipt of the completed application and fee. The local authority may when justified by the complexity of the application extend the time period once for a limited time. The authority will notify the applicant of the extension and its duration before the original period has expired. Failing a response within the time period set or extended as stated, the authorisation shall be deemed to have been granted.

## GUIDANCE FROM THE REGISTRAR GENERAL

In considering the suitability of places (or vessels in Scottish waters) as a venue for civil marriages the local authority will have regard to the following Guidance from the Registrar General:

1. The new law is intended to allow civil marriages to be solemnised at any approved location, including any premises, fixed buildings, temporary structures, enclosures and similar structures, land (including any land covered with water insofar as within the jurisdiction of the registration district) and any vessels (either within the seaward boundary of the registration district or in Scottish waters), without compromising the fundamental principles of Scottish marriage law and the solemnity and dignity of civil marriage. These will mean that certain places will not be suitable for approval.
2. Civil marriages must be solemnised at identifiable places or on or in vessels either within the registration district in respect of which the Marriage Schedule has been issued or in Scottish waters. The position of the place or vessel in Scottish waters must be suitably defined in words or figures so as to enable it to be recorded in the Marriage Schedule. Such a system is already in place in relation to religious marriages. Local registrars are familiar with what is required for describing the location of religious marriages and will be able to use that experience in describing civil marriage venues. For the avoidance of doubt, local authorities may approve moving vessels as approved places provided that for the duration of the marriage ceremony any such vessel remains within the boundary of the registration district in which the marriage is to be solemnised or the vessel is in Scottish waters. This may result in the owner or operator of a vessel seeking approval from more than one local authority if they intend that the vessel should be approved for civil marriages to be carried out on board. An existing approval issued by a local authority for a vessel positioned within a registration district is sufficient to cover the vessel when it is in Scottish waters (and vice versa) and where the civil marriage is to be solemnised by one of its registrars
3. A local authority is required not to approve a place or vessel in Scottish waters if the authority is of the opinion that the place or vessel in Scottish waters will compromise the solemnity and dignity of civil marriage. The primary use of a place or vessel in Scottish waters would render it unsuitable if that use could be regarded as demeaning marriage or bringing it into disrepute.
4. The local authority is also precluded from granting approval to any place with a recent or continuing connection with any religion or religious practice which would be incompatible with the use of that place for the solemnisation of civil marriages. This would, for example, rule out any place, any building or any specific room or space within a building whose primary purpose is still considered to be linked to religion e.g. a chapel in a stately home. However, a place in which a religious group meets occasionally may be suitable if the primary use of the place is secular. GROS also recognises that there are places where the issue may not be clear-cut. For instance, ruined abbeys and churches clearly would have had an historical religious connection. In determining whether such places or vessels might be approved as venues for civil marriages, local authorities should examine and take into account the present-day circumstances.
5. Civil marriages in approved places may be followed by a celebration, commemoration or blessing of the couple's own choice, provided that this does not purport to be a religious marriage and that it is distinct from the civil ceremony.

## **ADDITIONAL INFORMATION**

### **RENEWAL**

1. The approval holder may apply for the renewal of a period approval. A renewal will run from the expiry date of the current period approval.

### **REVOCAION AND SUSPENSION**

2. The authority may revoke or suspend an approval if, in its opinion, after considering any representations by or on behalf of the approval holder, that
  - (i) the approval holder has failed to comply with one or more of the conditions attached to the approval;
  - (ii) the approved place is no longer suitable for the solemnisation of civil marriages; or
  - (iii) in the case of a period approval, the approval holder is not or is no longer a fit and proper person.

If the approval holder ceases to have an interest in the approved place or vessel, then the local authority may also revoke, suspend or vary the terms of the approval.

3. When an approval has been suspended or revoked the regulations require the approval holder to notify any couples who had arranged to marry in the place.

### **VARIATION**

4. Subject to providing notice to the approval holder, a local authority may, at any time, vary the conditions attached to a temporary approval, or the further conditions attached to a period approval, on any grounds it thinks fit.

### **APPEAL**

5. Local authorities should note that, under section 18A of the Marriage (Scotland) Act 1977, an applicant or an approval holder may appeal to the Sheriff against any decision of the local authority if the approval holder considers that the local authority: erred in law, based its decision on any incorrect material fact, acted contrary to natural justice or exercised its discretion in an unreasonable manner. In upholding an appeal, the Sheriff may remit the case back to the local authority for reconsideration of its decision or reverse or modify the decision of the local authority. Thereafter, an appeal to the Court of Session is allowed only on a point of law.

### **REGISTRATION**

6. Details of approved places and approved vessels will be held for public inspection by the authority. These details will be copied to the registrar of the district in which the places are situated (or in the case of an approved vessel to the proposed authorised registrar of every authority in question) and to the Registrar General who shall both, in turn, keep a register of every approved place or vessel based upon the entries provided by the authority. Those registers shall be available for public inspection at all reasonable times.