

(a) THE MARRIAGE (APPROVAL OF PLACES (SCOTLAND) REGULATIONS 2002) (AN50-2002)

The above Act received Royal Assent on 4th April and the Regulations will be brought into force shortly.

The Marriage (Scotland) Act 2002 has been put in place to create more choice for couples planning marriage in Scotland. Until now anyone seeking a civil ceremony could only be married in Registrar's offices or other designated Council premises. This Act will authorise Registrars to conduct marriage ceremonies outside these locations. It is anticipated that the majority will be in hotels, but all sorts of locations become possible - castles, stately homes, outdoors, etc, etc. A survey conducted some time ago by the City Registrar found that many couples would have opted for a civil marriage had an alternative to the Registrar's office been available.

The procedures for a place being approved for civil marriages are broadly similar to procedures in the Civic Government (Scotland) Act 1982 with the exception that the application need not be advertised in the local press.

It is envisaged that the majority of applications will be for premises already licensed under the Licensing (Scotland) Act 1976, for example hotel function rooms.

The premises will require to be inspected and the views of the Registrar sought. The Licensing Committee will thereafter require to determine applications for approval of places that a civil marriage may be carried out. Such applications may be for either a period approval (up to 3 years) or a temporary approval (for a specific civil marriage). The regulations also lay out standard conditions to be attached to period approvals and allow the attachment of non-standard conditions.

It is recommended that in cases where applications are made for a period or temporary approval and where only the standard conditions are to be attached and there are no objections consideration of the application be delegated to the Director of Support Services to deal with administratively.

In all other cases the application will be submitted to the Committee for approval.

The Council must also determine a fee in respect of the application and in this regard an exercise is currently being carried out with the Director of Finance and details of the fee to be charged will be submitted to a future meeting.

A report will be submitted to the Policy and Resources Committee to amend the Order of Reference to the Licensing Committee for this legislation.