

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".

Revisions to Canon XXI of General Synod require 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 area bishop.

The Canon also requires the priest to inquire whether there is any impediment to the marriage, to review the issues outlined in Schedule E (following) and to recommend strongly to the parties that they avail themselves of a marriage preparation course. They are also to be encouraged to sign the declaration (following).

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 and must refer the matter to the area bishop for a decision in a case where only one is baptized.

B. 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.

As of May 1, 1995, the Marriage Act was revised. A couple wishing to marry in Ontario, may purchase a marriage licence and be married the same day. For Anglican clergy, 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.

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.



C. 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.

D. 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.

E. 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 incumbent, 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.

Diocesan Guidelines concerning the place of marriage:

- i) The decision about where the marriage takes place is now made by the clergy after consultation with the bishop.
- ii) The presiding minister should be in charge of all aspects of the service.
- iii) The service should be held in a place separate from the reception and before the reception begins.
- iv) It should be clear to those in attendance that the ceremony is a celebration of Christian marriage as if done in a church.
- v) One of the authorized liturgies of the Anglican Church of Canada must be used.
- vi) Where possible, copies of the liturgy or at least the people’s parts should be made available to allow for the participation of those attending.
- vii) Clergy should vest.



F. 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 from the Bishop of Toronto must obtain the permission of the Area Bishop in order to solemnize a marriage in his/her area of the Diocese of Toronto. These marriages must conform to the marriage guidelines of the diocese.

G. 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 Toronto or those with no parochial attachment in the diocese may request that the marriage be entered in the central diocesan register maintained at the Diocesan Centre. This request, and the necessary information for the registration, can be communicated when requesting the area bishop's consent and counsel for a wedding to be held in a place other than a parish church.

H. 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), when making the inquiries directed in Section B the minister shall, with respect to 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.



I. General Synod Canon XXI - Schedule E: Marriage Preparation

It is suggested that the incumbent or designate in discussing marriage preparation with the parties to a marriage, in addition to recommending strongly to the parties that they avail themselves of a marriage preparation course or programme, review with the parties the following specific issues:

1. The attitudes and expectations of the parties as to how they will deal with financial planning including budgeting, sharing of incomes and expenses.
2. The attitudes and expectations of the parties as to how they will deal with any potential religious differences.
3. The attitudes and expectations of the parties as to how their families including parents and siblings will react to the marriage and how supportive they will be.
4. The attitudes and expectations of the parties towards lifestyle including interests and friends in which there may be common interests and differences.
5. The attitudes and expectations of the parties towards work sharing in the home relationship and management of the household.
6. The attitudes and expectations of the parties as to their understanding of the importance of communication between partners in a marriage.
7. The attitudes and expectations of the parties in regard to sexual relations.
8. If the marriage being entered into is not a first marriage for both parties, it is recommended that there be specific discussions with the parties regarding the effect of payment by one of the parties of spousal or child support regarding a previous marriage, and potential problems concerning access to or custody of children from a previous marriage, and further potential problems with integration of children of the parties from previous marriages into a family unit.
9. Their views regarding number of children, rearing and education of same and potential career conflicts.
10. The solemnity of the marriage covenant which the parties are making in the sight of God.

