

BILL NO 1

Explanatory Memorandum

In 2005, the General Synod approved, by the requisite majorities, a resolution granting leave for the introduction of this Bill in 2006.

The Bill, in clause 2, seeks to amend Canon 31(2) of Chapter IX of the Constitution to ensure that a member of the clergy who is approached with a view to solemnising a marriage must not only fulfil the statutory requirements of the state in which the marriage is to take place but must comply also with such Church of Ireland Marriage Regulations as may be provided.

The Church of Ireland Marriage Regulations (NI) 2004 were approved by the General Synod of 2005 for marriages taking place in Northern Ireland. Since the Civil Registration Act 2004 is not yet in force in the Republic of Ireland the corresponding Church of Ireland Marriage Regulations for marriages taking place in the Republic of Ireland have not yet been made but, in due course, compliance with such Regulations, when made, will be requisite for all members of the clergy when approached with a view to solemnising a marriage in the Republic of Ireland.

Accordingly, marriages solemnized by clergy of the Church of Ireland will be subject to the same regulatory procedures of the Church of Ireland regardless of whether the marriage takes place in Northern Ireland or in the Republic of Ireland.

LADY SHEIL
VEN REB WHITE

(at the request of the General Synod)

BILL

To amend Chapter IX of the Constitution

To carry into effect a Resolution of the General Synod of 2005 to include in Chapter IX of the Constitution in Canon 31(2) of the Canons of the Church of Ireland concerning the solemnisation of marriage, the requirement for compliance both with the civil law of the state in which the marriage is to take place and with such Church of Ireland Marriage Regulations as may be provided.

WHEREAS a Resolution to include, in Chapter IX of the Constitution in Canon 31(2) of the Canons of the Church of Ireland concerning the solemnisation of marriage, the requirement for compliance both with the civil law of the state in which the marriage is to take place and with such Church of Ireland Marriage Regulations as may be provided, was duly passed in full Synod assembled in Dublin in the year 2005 by the required majorities, and was transmitted to the Secretaries of all Diocesan Synods;

AND WHEREAS it is expedient that the said Resolution shall be carried into effect by a Statute;

AND WHEREAS in accordance with the provisions of section 26(1) of Chapter I of the Constitution leave was given for the introduction of a Bill in the General Synod of 2006;

BE IT ENACTED by the Archbishops and Bishops and by the Clergy and Laity of the Church of Ireland in General Synod assembled in Armagh in the year 2006, and by the authority of the same as follows:

1. In this Statute Chapter IX means Chapter IX of the Constitution of the Church of Ireland.
2. In Chapter IX for Canon 31(2) there shall be substituted the following:
 - 31(2) Every member of the clergy who is approached with a view to solemnising a marriage is required to fulfil the statutory requirements of the state in which the marriage is to take place and must comply also with such Church of Ireland Marriage Regulations as may be provided.