



# House of Commons

Tuesday 12 February 2013

## PUBLIC BILL COMMITTEE

*New Amendments handed in are marked thus ★*

☆ *Amendments which will comply with the required notice period at their next appearance*

### MARRIAGE (SAME SEX COUPLES) BILL

#### NOTE

**The Amendments have been arranged in accordance with the Resolution of the Programming Sub-Committee.**

#### RESOLUTION OF THE PROGRAMMING SUB-COMMITTEE

*The Programming Sub-Committee appointed by the Speaker in respect of the Bill agreed the following Resolution at its meeting on Monday 11 February (Standing Order No. 83C):*

That—

- (1) the Committee shall (in addition to its first meeting at 8.00 am on Tuesday 12 February) meet—
  - (a) at 2.00 pm on Tuesday 12 February;
  - (b) at 11.30 am and 2.00 pm on Thursday 14 February;
  - (c) at 8.55 am and 2.00 pm on Tuesday 26 February;
  - (d) at 11.30 am and 2.00 pm on Thursday 28 February;
  - (e) at 8.55 am and 2.00 pm on Tuesday 5 March;
  - (f) at 11.30 am and 2.00 pm on Thursday 7 March; and
  - (g) at 8.55 am and 2.00 pm on Tuesday 12 March;
- (2) the Committee shall hear oral evidence in accordance with the following Table;

#### TABLE

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 12 February	Until no later than 9.00 am	Department for Culture, Media and Sport; Department for Education

**Marriage (Same Sex Couples) Bill, *continued***

<i>Date</i>	<i>Time</i>	<i>Witness</i>
Tuesday 12 February	Until no later than 9.45 am	The Church of England
Tuesday 12 February	Until no later than 10.30 am	The Catholic Bishops' Conference of England and Wales
Tuesday 12 February	Until no later than 11.00 am	The Church in Wales
Tuesday 12 February	Until no later than 11.25 am	Lord Pannick QC; Baroness Kennedy of the Shaws QC
Tuesday 12 February	Until no later than 3.00 pm	Stonewall; Lesbian and Gay Foundation; Gender Identity Research and Education Society
Tuesday 12 February	Until no later than 3.45 pm	Liberal Judaism; Board of Deputies of British Jews
Tuesday 12 February	Until no later than 4.15 pm	Out4Marriage
Tuesday 12 February	Until no later than 4.45 pm	Coalition for Marriage
Tuesday 12 February	Until no later than 5.15 pm	Professor Julian Rivers, University of Bristol Law School
Thursday 14 February	Until no later than 12.15 pm	The Religious Society of Friends (Quakers in Britain); the General Assembly of Unitarian and Free Christian Churches
Thursday 14 February	Until no later than 1.00 pm	The Methodist Church; the United Reformed Church
Thursday 14 February	Until no later than 2.45 pm	Liberty; Equality and Human Rights Commission; The Co-operative Group
Thursday 14 February	Until no later than 3.15 pm	Schools OUT; PHSE Association
Thursday 14 February	Until no later than 3.45 pm	The Very Reverend Jeffrey John, Dean of St Albans; Alice Arnold, broadcaster
Thursday 14 February	Until no later than 4.15 pm	Brendan O'Neill, journalist; Mark Jones, partner at Ormerods Solicitors

---

**Marriage (Same Sex Couples) Bill, *continued***

- (3) proceedings on consideration of the Bill in Committee shall be taken in the following order: Clauses 1 to 4; Schedule 1; Clauses 5 to 10; Schedule 2; Clause 11; Schedules 3 and 4; Clause 12; Schedule 5; Clause 13; Schedule 6; Clause 14; Schedule 7; Clauses 15 to 18; new Clauses; new Schedules; remaining proceedings on the Bill; and
- (4) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Tuesday 12 March.

*Hugh Robertson has given notice of his intention to move a motion in the terms of the Resolution of the Programming Sub-Committee [Standing Order No. 83C].*

---

Hugh Robertson

That, subject to the discretion of the Chair, any written evidence received by the Committee shall be reported to the House for publication.

---

Hugh Robertson

That, at this and any subsequent meeting at which oral evidence is to be heard, the Committee shall sit in private until the witnesses are admitted.

---

*NEW CLAUSES*

*Part 1 of the Civil Partnership Act 2004*

Mr Rob Wilson  
Dr Julian Huppert  
Greg Mulholland

NC1

To move the following Clause:—

- ‘(1) Part 1 of the Civil Partnership Act 2004 is amended as follows.
- (2) In section 1, subsection (1), leave out “of the same sex”.’.

---

*Part 2 of the Civil Partnership Act 2004*

Mr Rob Wilson  
Dr Julian Huppert  
Greg Mulholland

NC2

To move the following Clause:—

- ‘(1) Part 2 of the Civil Partnership Act 2004 is amended as follows.

---

**Marriage (Same Sex Couples) Bill, *continued***

- (2) In section 3, subsection (1), after “if—”, leave out—  
 “(a) they are not of the same sex”.
- 

*Marriages according to usages of approved organisations*

Dr Julian Huppert  
 Stephen Williams  
 Kelvin Hopkins

NC3

To move the following Clause:—

- ‘(1) In the Marriage Act 1949, after section 47, insert the following section—

**“47A Marriages according to usages of approved organisations**

- (1) The Registrar General may by certificate approve organisations to solemnise marriages according to their usages provided that any such organisation—
- (a) is a registered charity concerned with advancing or practising a religion or belief, including a non-religious belief;
  - (b) does not possess or have the use of any registered place of worship; and
  - (c) appears to the Registrar General to be of good repute.
- (2) In the certificate referred to in subsection (1) the Registrar General shall designate an officer of the organisation (“the principal officer”) to appoint persons for stated periods of time to act as registering officers on behalf of the organisation, and may impose such conditions as seem to him or her to be desirable relative to the conduct of marriages by the organisation and to the safe custody of marriage register books.
- (3) The principal officer shall, within the prescribed time and in the prescribed manner, certify the names and addresses of the persons so appointed to the Registrar General and to the superintendent registrars of the registration districts in which such persons live, together with such other details as the Registrar General shall require.
- (4) A marriage shall not be solemnised according to the usages of an approved organisation until duplicate marriage register books have been supplied by the Registrar General under Part IV of this Act to the registering officers appointed to act on behalf of the organisation.
- (5) If the Registrar General is not satisfied with respect to any registering officer of the approved organisation that sufficient security exists for the safe custody of marriage register books, he or she may in his or her discretion suspend the appointment of that registering officer.
- (6) A marriage to which this section applies shall be solemnised with open doors in the presence of either—
- (a) a registrar of the registration district in which the marriage takes place; or

**Marriage (Same Sex Couples) Bill, *continued***

- (b) a registering officer appointed under subsection (2) whose name and address have been certified in accordance with subsection (3) and of two witnesses;  
and the persons to be married shall make the declarations and use the form of words set out in subsection (3) or (3A) of section 44.
- (7) A marriage solemnised according to the usages of an approved organisation shall not be valid unless there is produced to the superintendent registrar, at the time when notice of marriage is given, a certificate signed by the principal officer or a registering officer of the approved organisation that each person giving notice of marriage is a member of the said organisation.
- (8) A certificate under subsection (7) shall be for all purposes conclusive evidence that any person to whom it relates is authorised to be married according to the usages of the said organisation and the entry of the marriage in a marriage register book under Part IV of this Act, or a certified copy thereof made under the said Part IV, shall be conclusive evidence of the production of such a certificate.”.
- (2) Schedule [Consequential amendments—Marriage according to usages of approved organisations] has effect.’.

**NEW SCHEDULE**

Dr Julian Huppert  
Kelvin Hopkins

NS1

To move the following Schedule:—

‘CONSEQUENTIAL AMENDMENTS—MARRIAGE ACCORDING TO USAGES OF APPROVED ORGANISATIONS

The following amendments are made to the Marriage Act 1949—

- (1) In section 26 (marriages which may be solemnised on authority of superintendent registrar’s certificate) in subsection (1) after paragraph (c) there is inserted—  
“(ca) a marriage conducted under the auspices of an approved organisation;”.
- (2) In section 35 (marriages in registration district in which neither party resides) after “the Society of Friends” there is inserted “or of an approved organisation”.
- (3) In section 43 (appointment of authorised persons) in subsection (3) after “the Society of Friends” there is inserted “or of an organisation authorised by the Registrar General under section 47A”.
- (4) In section 50 (person to whom certificate to be delivered), in subsection (1) after paragraph (d) there is inserted—  
“(da) if the marriage is to be solemnised according to the usages of an approved organisation, a registering officer of that organisation”.
- (5) After section 52, the following section is inserted—

---

**Marriage (Same Sex Couples) Bill, *continued***
**“52A Interpretation**

In this Part of this Act “approved organisation” has the meaning given to it in section 67.”.

- (6) In section 53 (persons by whom marriages are to be registered), after paragraph (b) there is inserted—
- “(ba) in the case of a marriage solemnised according to the usages of an approved organisation, a registered officer of that organisation;”.
- (7) In section 54 (provision of marriage register books by Registrar General), in subsection (1) after the words “the Society of Friends,” there is inserted “registering officer of every approved organisation”.
- (8) In section 55 (manner of registration of marriages)—
- (a) in subsection (1) after the words “the Society of Friends” there is inserted “or of an approved organisation”; and
- (b) in subsection (1)(b) after the words “the Society of Friends” there is inserted “or of an approved organisation” and after the words “the said Society” there is inserted “or organisation”.
- (9) In section 57 (quarterly returns to be made to superintendent registrar), in subsection (1) after the words “the Society of Friends” there is inserted “or of an approved organisation”.
- (10) In section 59 (custody of register books) after the words “the Society of Friends” there is inserted “or of an approved organisation”.
- (11) In section 60 (filled register books) in subsection (1), paragraph (b), after the words “registering officer of the Society of Friends” there is inserted “or of an approved organisation”; after the words “members of the Society of Friends” there is inserted “or of the said organisation”, and after the words “the said Society” there is inserted “or organisation”.
- (12) In section 63 (searches in register books) after the words “the Society of Friends” there is inserted “or of an approved organisation”.
- (13) In section 67 (interpretation of Part IV), there are inserted in the list of definitions the following—
- ““approved organisation” means an organisation approved by the Registrar General under section 47A of this Act;” and
- ““registering officer of an approved organisation” means a person whom the principal officer of the said organisation certifies in writing under his or her hand to the Registrar General to be a registering officer in England or Wales of that organisation;”;
- and in the definition of “superintendent registrar” after paragraph (b) insert—
- “(ba) in the case of a marriage registered by a registering officer of an approved organisation, the superintendent registrar of the registration district which is assigned by the Registrar General to that registering officer;”.
- (14) In section 75 (offences relating to solemnisation of marriages) in subsection (1), paragraph (a), after the words “the Society of Friends” there is inserted “or of an approved organisation”; and in subsection (2), paragraph (a), after the words “the Society of Friends” there is inserted “or of an approved organisation”.
-

---

**Marriage (Same Sex Couples) Bill, *continued***

Dr Julian Huppert  
Stephen Williams

1

Title, line 4, after ‘overseas’, insert ‘to permit the Registrar General to permit certain charitable organisations to solemnise marriages.’.

---

ORDER OF THE HOUSE [5 FEBRUARY 2013]

That the following provisions shall apply to the Marriage (Same Sex Couples) Bill:

*Committal*

1. The Bill shall be committed to a Public Bill Committee.

*Proceedings in Public Bill Committee*

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on 12 March 2013.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

*Consideration and Third Reading*

4. Proceedings on Consideration and Third Reading shall be taken in two days in accordance with the following provisions of this Order.
5. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the second day.
6. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.
7. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

*Other proceedings*

8. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.
-