

## **M14 Entry, publication and comparison of notices**

### **Summary of Learning Points**

When you have read this Chapter you will have learnt the following:

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## M14 Entry, publication and comparison of notices

### General

1. A notice of marriage is entered in the marriage notice book when it is submitted and locked <Redacted>. If the notice is taken manually, e.g. where there is system failure, or where the notice is taken at the residence of a housebound or detained person, the notice must be entered <Redacted> as soon as possible.
2. The details in a marriage notice as entered <Redacted> must be available during the hours the register office is open for inspection, free of charge, by anyone who wishes to inspect them. The information can be extracted <Redacted> and can either be printed or made available electronically.
3. The notice must be on public display during the 28 days following the date the notice was entered <Redacted> in one of the following ways:
  - (i) the individual notice will be displayed on a notice board and if folded, the addresses of both parties must be clearly visible;
  - (ii) a publicity report printed <Redacted> will be displayed on a notice board, which will list all the notices taken on that day; or,
  - (iii) in an electronic form.

Electronic display could be an electronic notice board or a computer terminal or other VDU displaying a list of notices which can be browsed. A search facility may be provided but this should be in addition to the browse facility.

Members of the public should not have to access the computer themselves as this would not constitute public display. It should already be switched on and ready for a member of the public to browse.

Notices should not be made available on the internet or on a website or intranet system as this would go beyond the intentions of the Marriage Act 1949 and be likely to be in breach of the Data Protection Act 1998.

4. If a notice board is used, it should be of sufficient size to hold the maximum number of notices of marriage likely to be current at any one time. The notices should be affixed to this board in such a way that each notice may be separately referred to and easily read. The board should be headed - "NOTICES OF MARRIAGE" in large capitals and it should be placed in some part of the superintendent registrar's offices to which the public have free access, but it must be sufficiently under observation to ensure that no notice could be removed, defaced, or otherwise damaged without detection.
5. The notices are publicised and the details from the marriage notices <Redacted> are available for inspection in either a printed or electronic form so that any person who knows of some lawful impediment to a marriage may declare it. The facility to inspect and take notes from the notice board or electronic display extends to everybody for any purpose. However, the date and time of a marriage should not be released to anyone without first seeking advice from the General Register Office (First Point of Contact <Redacted>).

6. All notices of marriage must be kept with records of the superintendent registrar for at least 5 years.

7. For every marriage notice entered <Redacted> the superintendent registrar is entitled to receive the fee <Redacted> from the party giving notice (except in the case of a marriage by Registrar General's licence, see M11).

## **Dealing with discrepancies**

### **Both parties living in the same registration district**

8. Where both parties are resident in the same registration district, the comparison may take place either during the taking of the second notice or after the second notice has been completed and signed. It is for the superintendent registrar to introduce an appropriate local procedure. However, where both parties attend the register office together, any such procedure should provide the opportunity for any discrepancies to be resolved before they leave the office. It is recommended that the superintendent registrar uses the reveal feature when taking the second notice so that discrepancies can be resolved at the time notice is given.

### **Both parties living in different registration districts**

9. The reveal feature can also be used when taking a second notice in a different registration district to where the first notice was taken. The superintendent registrar will be able to resolve some discrepancies at the time the second notice is given.

### **Discrepancies identified at time of second notice**

10. When a second notice is entered <Redacted> will compare the information given on the second notice with the information given on the first notice. If discrepancies are found, <Redacted> will notify the superintendent registrars concerned <Redacted>

11. <Redacted> will identify discrepancies relating to information recorded on the front of the notice. When discrepancies are found, an indicator is set that prevents the issue of the superintendent registrar's certificates until they have been resolved.

12. Where there are discrepancies between the two notices, the action taken will depend upon the nature of the discrepancy. The initial action in dealing with any discrepancies should be taken by the superintendent registrar who took the second notice in one of the following ways:

- (i) accept a discrepancy if it is minor;
- (ii) amend the second notice if any of the information is incorrect; or,

- (iii) lock the notice with the discrepancies so they can be investigated further.

13. Until the discrepancies are accepted or the notices are amended so that they agree, the superintendent registrar's certificates cannot be issued to allow the marriage to proceed.

14. A superintendent registrar who has attested a second notice may accept the discrepancies in the notice before it is locked if the discrepancies are minor. A minor discrepancy is one which occurs in the name, date of birth, occupation or address in the notice, but does not affect the identity of the party. If a superintendent registrar views the discrepancy report and decides that he can accept the discrepancies, he must do so on behalf of himself and also on behalf of the superintendent registrar who took the first notice, by way of ticking the two boxes on the 'both parties reverse' screen of the notice. Unless both boxes are ticked, the superintendent registrar's certificates cannot be issued.

15. Accepting the discrepancies in the notice does not cause the first notice to be altered in any way and the discrepancies can be resolved at the pre-marriage questioning, if necessary (see M17.9-13).

16. Discrepancies in the condition of the parties or in the venue where the parties are to be married cannot be accepted and must always be investigated and the incorrect notice amended accordingly.

17. **<Redacted>**.

### **Amending a notice**

18. If, during the taking of the second notice, a superintendent registrar discovers errors in his own notice, the errors can be amended before the second notice is locked. If discrepancies exist when the second notice is submitted, an option to generate and print the discrepancy report will be displayed. The notice can be accessed by clicking the 'Open second notice record' button, the relevant amendments can be made and the notice can be re-submitted.

19. If there are discrepancies which the superintendent registrar decides not to accept and he is satisfied that his own notice is correct, he should lock the notice without accepting the discrepancies and without amending it. **<Redacted>** will then send a notification of the discrepancy to the to-do lists of both registration districts where the notices were taken. The superintendent registrar of the district which took the first notice can generate and print the discrepancy report by clicking on the 'process' option in the to-do list. He should then investigate the matter and amend the notice accordingly.

20. The signed copy of the notice should be amended in the presence of the party, with the party adding his or her initials to the corrected details. At the same time, the superintendent registrar should amend the incorrect details in the notice on **<Redacted>** by using the Marriage > Notice > Amend notice menu option.

Using this option, the superintendent registrar can search for the notice and correct the relevant fields. He must also state the reason for making the amendment.

21. When a first notice is amended because of a discrepancy with the second notice, an item appears in the to-do list of the registration district which took the second notice in the 'Review second notice' tab. The second notice district must click on the 'process' option in order to run the discrepancy report again. No amendment is required to the second notice; the superintendent registrar should go straight to the 'both parties reverse' screen and submit the notice. Provided the notices now agree there will not be an option to print a discrepancy report and the notice should be locked. If, however, further discrepancies were introduced when the first notice was amended the option to print a discrepancy report will be displayed. The procedures outlined in M14.10-16 should be followed.

22. When the discrepancies have been resolved or accepted, the task on the to-do list will be removed automatically.

23. There may be occasions where the two notices agreed originally, but the party has subsequently advised that some particular he has given is incorrect. The signed notice should be amended in the presence of the party, with the party adding his or her initials to the corrected details. <Redacted>. Further action will be required, depending on whether the amendment is to the first or the second notice:

(i) if a second notice is amended <Redacted>, a discrepancy report will be run and the superintendent registrar can generate and print the discrepancy report when the notice is submitted. The procedures outlined in M14.10-16 should be followed.

(ii) If a first notice is amended on <Redacted> a notification will be sent to the 'to do' list of the district where the second notice was taken and will appear in the 'Review second notice' tab. <Redacted> The second notice district must then decide whether the second notice needs amending in the presence of the party who gave the notice, or whether it can be accepted. The notice can be accessed by clicking on the 'process' option in the to-do list and the notice can either be amended, or the discrepancy boxes ticked on the 'Both parties reverse' page.

In both cases, the superintendent registrar's certificates cannot be issued until the notices have been amended so that they agree, or the discrepancies have been accepted.

24. <Redacted>.

### **Discrepancy in venue**

25. A marriage can only take place at the venue specified in the notices of marriage and on the superintendent registrar's certificates. It is therefore important that any discrepancies or errors in venue are rectified so that the marriage can take place at the intended venue.

26. Where a discrepancy report shows that the marriage venue is different on the two notices of marriage, the incorrect notice must be amended in the presence of the party who gave it. It is not possible for discrepancies in venue to be accepted and

the superintendent registrar's certificates can only be issued when the venue on both notices is the same.

27. If the venue has been incorrectly stated on both notices of marriage, they can only be amended if the superintendent registrar is satisfied that there was a genuine misunderstanding as to the intended venue. (see M16 10 & 11). Where a couple subsequently decide to marry at a venue different to the one recorded in the marriage notices and there is no error in venue shown in the original notices, then both parties must give a fresh notice.

28. Where fresh notices are required and the change of venue is realised before the second notice is taken, that notice should be taken as a first notice. If the second notice has been started but has not been locked, the notice should be abandoned and re-taken as a first notice. In both the cases, the party who gave the original first notice with the incorrect venue would have to give a fresh notice, this time as a second notice.

29. If in doubt as to whether to amend a notice of marriage or seek a fresh notice, the superintendent registrar should contact the General Register Office (Marriages and Civil Partnerships) for advice.

### **Discrepancy in district of residence of the other party**

30. It sometimes happens that the party giving notice states the district of residence of the other party incorrectly. This will show up as a discrepancy when the second notice is submitted. In these circumstances the second notice should be locked without accepting the discrepancies. The superintendent registrar of the district which took the first notice will receive notice of the discrepancy in their to-do list. The superintendent registrar should amend the first notice **<Redacted>** and also the signed copy of the notice. This does not need to be in the presence of the party who gave the notice, but the superintendent registrar should add his initials to the amendment on the signed notice.

### **Procedure when notice in one district has been omitted or unduly delayed**

31. A report is available **<Redacted>** to show the first notices which have been given that are still waiting for the second notice to be added. A superintendent registrar can check to see whether there are any second notices due to be given in his registration district **<Redacted>**. The report should be printed regularly so the superintendent registrar can take any necessary action. If any second notices are expected and have not been taken after 7 days from the date the first notice was given, the superintendent registrar should write to him/her pointing out that the marriage cannot proceed until a corresponding notice has been given to him and his certificate for marriage issued in due course. **<Redacted>**

32. If the second notice has still not been given after 10 days, the superintendent registrar should contact the superintendent registrar who took the first notice to advise him of the situation. That superintendent registrar should tell the party living in his district that the marriage cannot take place until the second notice has been given and the superintendent registrar's certificates have been issued.

## **Possible offences**

33. Where the superintendent registrar establishes that the party signing the notice has deliberately given false information about him or herself (but not about the other party), or has produced false documents, the superintendent registrar should follow the guidance in Annex G of the Managing Data Handbook

34. Where a person declares their condition incorrectly, e.g. he declares that his previous marriage was dissolved and the decree nisi has not been made absolute or he declares himself to be single when he has been previously married and divorced, the marriage may proceed without fresh notices being required provided that the person is free to marry on the day of the actual ceremony.

## **M14 (Welsh) - Entry and publication of marriage notice**

7(a) The notice or copy displayed must be in English and in Welsh where the notice was given bilingually.

## M14 Evaluation of Learning

When you have finished reading this Chapter you may wish to evaluate what you have learnt by answering the following questions. The answers to these questions are at the end of the Handbook.

- Q1.** A gentleman attends the register office and is seen taking notes whilst looking at the marriage notice board. It appears that he is a local photographer and is taking details of the couples intending to marry in order to contact them to offer his photography services. What action should be taken?
- Q2.** On checking a discrepancy report, you discover that the first notice given by the woman in your district shows the man's occupation in column 5 as "Teacher" whereas in the notice given by the man, his occupation is shown as "Mathematics School Teacher". You decide that this is a minor discrepancy which can be dealt with at the time of the marriage. What action do you take with the notice of marriage and for what purpose?
- Q3.** On viewing a notice of marriage received for information from the man's district for a marriage in your district, you notice that the venue is stated as 'The Register Office'. However, the couple have booked 'The Green Room' which is an approved premises within the same building where the register office is situated and this is what is stated on the bride's notice. Notice was only given two days ago. What action should be taken by you and the SR from the man's district?
- Q4.** A gentleman had given notice of his intention to marry declaring he was single. He later contacts the register office to state that he has been married and divorced previously and that he had not disclosed this as he had not told his fiancé. He produces his decree absolute to prove this and the notice/notice book is amended accordingly. The woman has given her notice in a different district. What action should be taken?