

# **OFFICE OF THE STAFF JUDGE ADVOCATE 48<sup>TH</sup> FIGHTER WING, RAF LAKENHEATH, UK**



## **MARRIAGE IN BRITAIN**

There are two forms of marriage in England. One is civil, and the other is through the Church. A marriage that is conducted in accordance with the laws of Great Britain would be recognized as a valid marriage in the United States. Please note that regulations regarding marriage in Scotland, Northern Ireland or Eire (Southern Ireland) are slightly different than those in England & Wales.

The following are some basic steps to complete before you may be married:

### **Military Requirements**

The first step to getting married in England or Wales, is to comply with AFI 36-2609, which requires you to have written permission from your commander to marry a foreign national who is not a legal resident of the U.S. Your alien fiancé will be required to get a physical examination. You should call the clinic for an appointment. Additionally, a pre-marital investigation is required; please contact your unit Security Manager for the necessary paperwork to start the procedure. These restrictions are for the protection of both aliens and U.S. citizens from the possible disastrous effects of an impetuous marriage entered into without appreciation of its implications and obligations.

Applications for authorization must be prepared in the format prescribed. You must submit the following:

- proof of citizenship for yourself and your fiancée
- medical certificate both military member and alien fiancé(e)
- financial statement if you are in the grade of senior airman or below
- notarized statement that you are legally free to marry
- notarized affidavit, signed by you, stating that your fiancé(e) does not have a criminal record
- notarized affidavit, signed by your fiancé(e), stating that he/she does not have a criminal record;

- certificate of completion of marriage counseling
- character references for your alien fiancé(e);
- permission from your commander

Check AFI 36-2609 for the details of this requirement. If a premarital investigation is needed, it may take some time to process the application.

## ***Local Laws***

After you have complied with AFI 36-2609, you must comply with English law. English law requires that you file notice of your intended marriage at the Register Office serving the local region of your residence. If you live at RAF Lakenheath or RAF Mildenhall, the local registrar – Registrar of Births, Deaths and Marriages – is in Bury St. Edmunds. The telephone number is 01284 741 221, and their hours are 0930-1230 and 1400-1600, Monday to Friday. If you live at RAF Feltwell, the local Registrar is at Downham Market, telephone number 01366 388080. A recent change in the law means that you can now marry anywhere in your district as long as the building is on the list of approved locations held by the applicable Registrar.

You will need to make an appointment to file your notice in your district's registrar office. The documents you will need to provide are:

1. **Proof of name and age** to establish your fiancée is over 18 years of age
2. **Proof of residence.** This is required to show that your fiancée has resided in the district for the required period of 8 days. They will request two of these:
  - **Utility bill**
  - **Driving license**
  - **Council tax bill**
  - **Bank statement**
3. **Proof of nationality**
  - **Passport**
  - **ID card**
4. **Proof of condition.** This will provide proof of the past marriage status(es) of your fiancée. If your fiancée's previous marriage ended in divorce, please provide a **Decree Absolute/Final divorce document** to verify the divorce. If your fiancée's previous marriage ended in the death of a partner, please provide the **Death Certificate** and the **Marriage Certificate**. If it is a foreign decree (i.e. not a British decree), it must be sent to the Central Registrar's Office for certification. Once the central office processes the foreign decree and the results are returned to the local registrar, the registrar can issue the license or certificate. The registrars suggest having the foreign decree checked in advance and that you take the processed copy to the registrar, since mailing takes several days.

**Please note that only original documents or certified copies of documents will be accepted. Photocopies will NOT be accepted. It is not acceptable for the legal office on base to certify these documents for the purposes of marriage.**

5. The following requirements only apply to non-EU/EEA nationals and those subject to immigration control.
  - **Visa for marriage/civil partnership.** This is usually applied for by a non-EU national not residing in this country and the person would have to apply to the British Consul Embassy, Consulate or High Commission in that country. (Of the three options, this is the easiest to obtain.)
  - **Indefinite leave to enter/remain in the UK.** This will be stamped in a **passport**. It is advisable to request the person to fax a copy of the stamp to the registrar office. Be sure to check the passport to see if there is a limit to the time period allowing the owner to stay in the country.

The following people are exempt from immigration control:

- **USAF stationed in this country** (USAF dependents or US civilians working on the air base are still subject to immigration control.)
- **Diplomats**
- Members of **British Armed Forces** from a NATO or commonwealth country serving in British Armed Forces
- **Holders of a current residence permit EEA Family Member**
- **Swiss nationals**
- **People with “right of abode.”** Please take care to distinguish between “right of abode” and “indefinite leave to remain.” People who hold “indefinite leave to remain” are still subject to immigration control.

6. The following requirements apply to USAF members.

- **Military ID Card**
- **Valid set of orders.** (If expired, please provide evidence of DEROS.) The orders are particularly important as they prove that the service person is stationed in our district and therefore not subject to immigration control.
- **Recall roster or letter from CO** to confirm their building and room number. A box does not prove that they actually reside in the district.

Both parties must reside in England for 8 days prior to giving the notice. There will then be a 16-day waiting period before the certificate for marriage can be issued. These time conditions have to be met before the marriage can take place. The cost is upwards of £100.00.

In England, persons under 16 years of age may not marry and persons under 18 years of age require their parents' or guardians' written consent to the marriage. 16 year olds and above may marry in Scotland without parents'/guardians' permission. The marriage would then still be considered lawful in England & Wales.

## **Costs**

The cost of a marriage waiver (for deployed members or the terminally ill) is £28.00 per person. This fee is non-refundable and must be accompanied by a letter from your commander.

A Notice of Marriage is £35.00 per person. The marriage can take place 16 days after purchase.

A ceremony within the registration office is £45.00. This marriage will take place in an office with just the bride and groom and 2 witnesses. Marriages can be arranged to take place at the Athenaeum, £175.00 until the end of March 2014, thereafter £200.00 until the end of March 2015.

A Marriage Certificate costs £4.00 on the day of the marriage or £10.00 after that day.

## **Civil ceremony**

The Marriage Act 1949 was amended on 1 January 2001. The following are the principle amendments:

1. Each party to the marriage must give notice **IN PERSON** to the superintendent registrar of the registration district where they reside. A separate fee is payable for each notice.
2. You should obtain **TWO** certificates from the superintendent registrar's office, before a marriage may be solemnized (one for each party).
3. The required waiting period before the superintendent registrar may issue the certificate (marriage authority) is 15 days.

If both parties reside in the same registration district and wish to give notice to marry, then both must personally give notice to the Superintendent Registrar, regardless of whether they live in the same or different registration districts. A 15 clear day waiting period must pass before the Superintendent Registrar's certificates may be issued.

It is **very important** that you keep strictly to the appointment time, both for giving notices and for the marriage. If a couple is late the marriage it may not be able to take place.

Here are a few common districts where military personnel reside. Please remember each person has to register in their own district. Also, if you live in a small community they may have their own registers office so please check the website for the county you live in for a detailed listing.

### **Thetford Registration Office**

#### **Marriages and Civil Partnerships**

Telephone: 01842 766848 Fax: 01842 765996

Monday: 9.30am to 1.00pm and 2.00pm to 4.00pm

Tuesday: 1.00pm to 4.00pm

Thursday: 9.30am to 1.00pm

Friday: 9.30am to 1.00pm

## **Bury St Edmunds Registration Office**

### **Marriages and Civil Partnerships**

Telephone: 01284 741221

Fax: 01284 741223

Email: [bse@registrars.suffolk.gov.uk](mailto:bse@registrars.suffolk.gov.uk)

9am -4pm weekdays closed for staff training on the third Wednesday of each month between 9am and 11am ceremonies held during weekday opening hours and on Saturday until 1.30pm (subject to availability)ceremonies at approved venues and religious registered buildings by arrangement.

### **Religious ceremony (at a church off base)**

Many service personnel do not realize that they cannot just choose a church to be married in; they have to be a member of that particular parish church to be married there. Only the Church of England is authorized to conduct a full marriage ceremony. All churches are required to fulfill a civil ceremony as part of the religious venue. Further, not all non-Church of England clergy are authorized to conduct the marriage ceremony. If you marry in a non-Church of England ceremony, you may find that a civil Registrar of Marriages has to be present, as well as your priest. In the Church of England, once you have selected and have been accepted by your Church, the "Banns" are read. "Banns" are a formal announcement made from the pulpit of the church by the vicar/priest, on three consecutive Sundays of your intention to marry. If no objection is raised in response to the "Banns" you may marry at any time afterwards.

### ***Base Chapel***

The base Chapel has additional requirements that must be met before you may be married there. If you want to be married at the Chapel, the registrar must be present to record the marriage, so you will have to plan accordingly. Please contact the Chapel at RAF Lakenheath, ext. 3711, for further information.

### **Helpful Websites**

[www.norfolk.gov.uk](http://www.norfolk.gov.uk)

[www.suffolk.gov.uk](http://www.suffolk.gov.uk)

[www.cambridgeshire.gov.uk](http://www.cambridgeshire.gov.uk)

<http://www.4ukcountyweddings.co.uk/>

<http://www.gro.gov.uk/gro/content/marriages/> (this website allows you to enter any county)

\* When using a county website you can find information on marriages by using search terms "marriages" or under the "Community and Living."