

LEGAL ADVISORY COMMISSION OF THE GENERAL SYNOD

MARRIAGE

A. Flowers

Canon B 35, paragraph 5, states in relation to Holy Matrimony:

“When matrimony is to be solemnized in any church, it belongs to the minister of the parish to decide ... what furnishings or flowers should be placed in or about the church for the occasion.”

In practice, however, the choice of flowers to decorate the church is usually left to the parties to be married and, if the minister wishes to exercise his or her prerogative (for example, because of the penitential season), he or she should make it clear from the beginning. This is essential if more than one couple are being (or may be) married on the same day as it may not be possible for the flowers for the first wedding to be changed before the second ceremony. Although the parties may be able to reach an amicable agreement, that may not be possible and the minister should therefore always make it clear that any final decision will be made by him or her.

B. Timing

Canon B 35, paragraph 4, states:

“A marriage may not be solemnized at any unseasonable hours but only between the hours of eight in the forenoon and six in the afternoon.”

The Legal Advisory Commission has already given its opinion that the service must be completed before six in the evening: *Legal Opinions concerning the Church of England* (8th ed., 2007) at page 367. Therefore care must be taken that no marriage ceremony starts so late that either that or any subsequent marriage ceremony that day may thereby be jeopardised.

The incumbent or priest-in-charge is entitled to appoint the date and time of the marriage within the prescribed hours: Lacey, *A Handbook of Church Law* (1903) at page 236; *Anglican Marriage in England and Wales A guide to the Law for the Clergy* (1999) at paragraph 6.3. The hour, however, must not be “unseasonable”, that is, it must not be arranged at an hour which is unreasonable for the priest or the parties.

However, once the time for the ceremony has been fixed, it must be notified to the bride and bridegroom; it is then for them to ensure that the witnesses and other guests are told of the date and time.

The rubric at the commencement of The Form of Solemnization of Matrimony in the Book of Common Prayer reads:

“At the day and time appointed for solemnization of Matrimony, the parties to be married shall come into the body of the Church with their friends and neighbours ...”

Although there is no similar rubric in *Common Worship: Pastoral Services*, the BCP rubric makes it clear that it is for the parties to ensure that they are present in order to start at the appointed time.

In spite of the widespread belief that a bride is entitled to be late for her wedding, that belief runs counter to the law of the Church of England. Clearly some leeway should be granted, especially if there is heavy traffic or an accident, but the priest is not under any duty to take the service at any later hour, although in most cases he or she will no doubt endeavour to do so for pastoral reasons. More particularly the priest does not have to place in jeopardy any other important engagement or commitment (such as a burial or another wedding) later in the day.

If the minister or the PCC consider that punctuality may not be regarded as important by the couple, they will no doubt as a matter of practice warn the couple that the ceremony may not take place if they or their witnesses are late.

The fee payable towards the incumbent's stipend and to the PCC pursuant to the Table of Parochial Fees (£240 in 2007) relates to the marriage service and such fees are not due unless, and until, the ceremony actually takes place. Whether other 'fees' are payable, for example in relation to bell ringers and/or the organist and choir, will depend upon the circumstances of the particular case and the normal principles of contract law.

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