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HOLY MATRIMONY

Diocese of Nova Scotia & Prince Edward Island

Notwithstanding any of the following, the authoritative statement referring to Marriage in the Church is Canon XXI of General Synod Canons of the Anglican Church of Canada. Questions of interpretation of these guidelines shall be referred to the Diocesan Bishop in the context of that Canon.

Hereafter, Diocesan Authority shall mean the Diocesan Bishop or an Assisting Bishop; and in their absence the Archdeacon of the Territory.

Hereafter, the term Incumbent shall mean that person duly appointed by the Diocesan Bishop to the care and cure of souls in a particular parish or institution, and/or his/her authorized representative(s).

HOLY MATRIMONY

The Anglican Church affirms that according to the Lord's teaching, Holy Matrimony is a life-long union, voluntarily undertaken by a man and a women, and sanctified by God. [St. Matthew 19:3-6] The "Form of Solemnization of Matrimony" in *The Book of Common Prayer* { [p.563] and "The Celebration and the Blessing of a Marriage" in *The Book of Alternative Services* [p.541] are provided for the marriage of baptized Christians. [*If one of the persons to be married is not baptized, permission of the Diocesan Bishop shall be obtained before the marriage may take place. Opportunity is to be provided for preparation for Baptism, if desired.*]* If neither person is baptized, the marriage may not proceed.

ECCLESIASTICAL AND CIVIL AUTHORITY

Marriage shall take place in an Anglican Church where the Officiate is licensed by both the Diocesan Bishop and Civil authority. It is the responsibility of the Officiate to ensure that all Civil and Ecclesiastical requirements are fully satisfied at the time of the marriage. Diocesan Clergy are authorized to solemnize marriages in which:

- ~ both persons are baptized;
- ~ neither have a former spouse still living;
- ~ both persons are of legal age;
- ~ at least one person is a communicant member of the Anglican Church;

Marriages under other circumstances are provided for elsewhere in these guidelines.

REQUIRED NOTICE

The Incumbent shall be given at least 60 days notice before the day proposed for the marriage. For sufficient cause, an Incumbent may waive this requirement in which case the Diocesan Bishop shall be notified in writing, stating the reason for this decision.

LICENSE

A Provincial Marriage License must be obtained by the couple, and delivered to the Incumbent in due time before the marriage. It is the responsibility of the Incumbent to ensure that the forms are properly filled out prior to the marriage.

BANNS

Banns may be published on the request of the Bride and Groom in the Church in which the marriage is to take place, as well as in any other Church as requested. The form in which the Banns are to be read, as found in Canon XXI, is as follows:

I publish the Banns of Marriage between N of... and N of.... If any of you know cause or just impediment why these two persons should not be joined in Holy Matrimony, you are to declare it. This is the first [second, third] time of asking.

INTERVIEW WITH THE INCUMBENT

Every couple intending to marry in the Parish shall meet with the Incumbent to book the day and time of the wedding, to fill in such forms as are required by Civil Law and Canon Law, and to sign the Declaration as provided in Canon XXI, Schedule A. At this time, they shall be acquainted with the appropriate portions of these guidelines, Canon XXI, and pertinent Parish policies.

THE DISCRETION OF THE MINISTER

The discretion of the Incumbent to decline to solemnize any particular marriage is affirmed. When the Incumbent chooses to decline to solemnize which is not prohibited by Canon XXI, the responsibility to make provisions for that marriage to be celebrated within the Church(s) of the Parish by another Priest is retained by the Incumbent.

IMPEDIMENTS OF KINDRED AND AFFINITY

Canon XXI lists the following relationships between which persons marriages are forbidden:

A Man may not marry his:

Mother
Step-Mother
Mother-in-law
Daughter
Step-daughter
Daughter-in-law
Sister
Grandmother
Grandfather's wife
Wife's grandmother
Grand-daughter
Wife's grand-daughter
Grandson's wife
Aunt
Niece

A Woman may not marry her:

Father
Step-father
Father-in-law
Son
Step-son
Son-in-law
Brother
Grandfather
Grandmother's husband
Husband's grandfather
Grandson
Husband's grandson
Grand- daughter's husband
Uncle
Nephew

IMPEDIMENT OF CONSENT

The contract of marriage requires the free and voluntary consent of the parties to marry each other. Such consent is not present where:

- one of the parties at the time of the marriage is incapable by reason of mental defect, mental illness, alcoholic intoxication, or the influence of a drug;
- one of the parties is induced to consent under duress by coercion or by fear;
- one of the parties gives consent after having been abducted and before being set free;
- one of the parties is mistaken with respect to the nature of the contract or of the union, or of the identity of the other party;

- one of the parties was deceived by misrepresentation, concealment or other deception with respect to facts detrimental to the establishment of the covenant, especially in relation to:
 - *venereal disease
 - * AIDS
 - *addiction to drugs or alcohol
 - *pregnancy, except as a result of intercourse with the marriage partner
 - *homosexual practice
 - *violence, sadistic conduct, or abnormal practices;
- the marriage has been agreed to upon a condition which is illegal, impossible, or contrary to the nature of the union;
- the marriage is intended to be a sham or mere form;
- either party is incapable of consummating or unreasonably refuses to consummate the marriage by sexual intercourse, subject of sub section 16(A) of the Canon.

PRE-MARITAL PREPARATION

The Incumbent shall insure that those who are seeking marriage in the Church receive a premarital program in which the meaning and nature of Christian marriage and family life are presented; and the need of God's Grace in the daily pursuit of this ideal is made known. The Incumbent is responsible for the provision of this program and is encouraged to make use of such expertise that is available among the Clergy and Laity of the Community. The concerns listed under Schedule E of Canon XXI shall be included in the content of any program of marital preparation. In those cases where the couple does not reside within the Parish in which the wedding is to take place, the Incumbent of the Parish in which the wedding is to occur is responsible for ensuring the provision of pre-marital preparation, as described above. Care should be taken to include the participation in the pre-marital program of the Incumbent of the Parish in which the couple resides and/or worships.

INCUMBENT IN CHARGE OF SERVICE

Before making any other arrangements, persons wanting to be married are encouraged to consult with the Incumbent, who is the one responsible for the proper ordering of the service,

SERVICE ARRANGEMENTS

Couples shall be offered the choice of liturgical texts for the wedding service as approved by the Anglican Church of Canada. Hymns, music or other arrangements relating to the ceremony must be discussed with and approved by the Incumbent of the Parish in which the wedding is to take place. The option of having family and friends participate in the liturgy is permitted and encouraged.

HOLY COMMUNION

Both the *Book of Common Prayer* and the *Book of Alternative Services* provide for the celebration of Holy Communion in the context of a wedding. The rubrical direction given {BCP, p. 571; BAS, p.527} shall be pointed out to couples when both are entitled to receive Communion.

PHOTOGRAPHS AND VIDEO-TAPERECORDINGS

Photographers, both professional and amateur, among the congregation or appointed and/or employed by the Bride and Groom, shall be advised of the following:

- No photographs shall be taken from the beginning of the Liturgy until its completion, not including signing of the appropriate register.
- Video recordings of the service must be undertaken with use of a tripod, with the camera left to record unattended, save for the necessary refocusing required when the Couple move from one location in the Church to another.

This information may, at the discretion of the Incumbent, be included in printed service information prepared for the Ceremony.

FLOWERS

Couples intending to marry must consult with the Incumbent on the matter of Parish polices in relation to flowers provided for weddings.

PENITENTIAL SEASONS

The Church discourages marriages held during Penitential Seasons, especially Lent.

AGE

No marriage shall occur when either of the couple is under sixteen years of age. No marriage shall occur when either of the couple is under nineteen years of age, except with the permission of Diocesan Bishop and only in accordance with the provisions of Civil Law.

PLACE

The place for Holy Matrimony is the Church except as otherwise permitted by Diocesan Authority.

WITNESSES

Every marriage shall take place in the presence of the Incumbent and not less that two other witnesses.

PARISH AND CIVIL REGISTERS

It is the duty of the Incumbent to complete and return all Civil forms required by provincial law, as well as to fully enter the particulars of the ceremony in a Parish Register provided for this purpose. An entry shall also be made in the Church Vestry Book referring to the Ceremony and shall include the names of the Bride and Groom.

BLESSING OF A CIVIL MARRIAGE

The Church recognizes civil marriage as valid if it is based on the principle of life-long union of a man and woman being married. Services for the blessing of a Civil Marriage may be found in the *Book of Occasional Offices* and the ringed binder, *Occasional Celebrations of the Anglican Church of Canada*. If either partner in the marriage has a former spouse still living, or is not baptized, the guidelines for marriage in the Church under those circumstances shall be followed. The Incumbent shall provide instruction for the couple concerning the nature of Christian marriage.

INTER-FAITH AND INTER-DENOMINATIONAL MARRIAGES

1. A) Clergy must consult with and have the permission of the Bishop of the Diocese prior to consenting to participate in or perform marriages of persons where one of the partners is not a Christian. Canon XXI defines a Christian as "a person who has been baptized and who is prepared to reaffirm Baptismal vows" {Canon XXI, Ps II, 14}
- B) When one of the parties to a marriage is not a Christian, the Minister may, nevertheless, use of a Form of Solemnization as authorized and deemed appropriate by the Bishop. In the vow, the non-Christian may omit words "holy "and "according to God's ordinance", but no other change may be made to the vow or to the declaration of intention.

2. A) The Incumbent may accept invitations to take part in marriage ceremonies in other Christian communities, provided that no breach of matrimonial discipline of the Anglican Church of Canada, as set forth in Canon XXI, is involved.

B) In marriages between Anglican And Roman Catholic partners, consideration is to be given to the document entitled: *Pastoral guidelines for Inter-Church Marriages between Anglicans and Roman Catholics in Canada*.
3. The Incumbent may invite licensed clergy of other Christian communities to participate in the solemnization of matrimony.
4. In cases of uncertainty or difficulty, early consultation with the Bishop is essential.

REMARRIAGE IN THE CHURCH

1. Permission to remarry within the Church requires the special permission of the Bishop. Permission is requested by those who desire to retain their communicant status with the Anglican Church following a new marriage.
2. Permission to remarry within the Church can be considered upon the completion of all divorce proceedings and the granting of a certificate of divorce from due authority.
3. Consultation with Incumbent, and application to the Bishop through the diocesan Matrimonial Commission, in accordance with the provisions of General Synod XXI, are necessary steps in the process of securing permission to remarry. Clergy unable by reason of conscience, to assist couples in preparation for remarriage, will refer the couple to another Anglican Priest, extending the hospitality of the Parish to that Priest for the purposes of the pre-marital preparations and the wedding.
4. The application for permission to remarry shall be made by the couple to the Incumbent of the Parish in which the marriage is to take place. The forms required will be of that Diocese in which the marriage is to take place. Upon reviewing the material and indicating readiness to perform the marriage, the Incumbent shall submit the forms to that Diocesan Matrimonial Commission.
5. The Incumbent of the Parish in which the marriage is to occur, shall assist the couple in the preparation of the application, except in such cases as:
 - the couple resides at a significant distance from the place of the intended marriage;
 - the couple lives at a significant distance from each other;
 - other circumstances require special arrangements;
 in which case the interviews shall be arrangements by the Incumbent through parish clergy living in reasonable proximity to the individual(s).
6. Couples are cautioned not to set the date of the wedding prior to receiving permissions of the Bishop to remarry in the Church.
7. The response of the Bishop reported through the Commission shall be communicated to the Incumbent of the Parish in which the wedding is to take place, the clergy assisting in the preparation of the application, and to the couple,
8. The Canonical provision for a Ecclesiastical Matrimonial Commission are provided in Part VI of Canon XXI