

How the coronavirus regulations have changed to apparently limit humanist weddings to six

Before this week, regulations provided that:¹

During the emergency period, no person may participate in a gathering which consists of more than six people unless— ...

(f) the gathering consists of no more than 30 persons and—

(i) it is for the purposes of the solemnisation of a marriage, formation of a civil partnership or conversion of a civil partnership,

(ii) it takes place on religious premises or premises which are approved for the purposes of the Marriage Act 1949 or the Civil Partnership Act 2004, and

(iii) the manager complies with paragraph (5G),

(g) the gathering is a significant event gathering and—

(i) it consists of no more than 30 persons,

(ii) it takes place—

(aa) at premises (other than a private dwelling) which are operated by a business, a charitable, benevolent or philanthropic institution or a public body,

(bb) at premises (other than a private dwelling) which are part of premises used for the operation of a business, a charitable, benevolent or philanthropic institution or a public body, or

(cc) in a public outdoor space which does not fall within paragraph (aa) or (bb), and

(iii) the manager, in the case of gathering taking place at premises mentioned in paragraph (ii)(aa) or (bb), or the gathering organiser, in any other case, complies with paragraph (5G),

(h) the gathering is a wedding reception, reception following the formation of a civil partnership or reception following the conversion of civil partnership to a marriage and—

(i) it consists of no more than 30 persons,

(ii) it takes place in premises other than a private dwelling, and

(iii) the gathering organiser complies with paragraph (5G),

...

(5B) For the purposes of paragraph (3)(g) “significant event gathering” means a gathering for the purposes of a ceremony, rite or ritual—

(a) to mark or celebrate a significant milestone in a person’s life, according to their religion or belief, such as events to celebrate a rite of passage or entry into a particular faith (other than a birthday) or coming of age, or

(b) to mark a person’s death or celebrate their life following their death, such as a funeral, according to the deceased person’s religion or belief.

(5C) For the purposes of paragraph (5B), a reference to belief includes a reference to a lack of belief.

Humanist weddings are not legally recognised in England and Wales – something the High Court recently concluded is ‘discrimination’ that needs to be rectified. As a result, subsection (g) was what provided for humanist weddings, not subsections (f) or (h).

¹ See the Health Protection (Coronavirus, Restrictions) (No. 2) (England) Regulations 2020, regulation 5: <https://www.legislation.gov.uk/uksi/2020/684/regulation/5>

But from Monday, regulations will provide that:²

During the emergency period, no person may participate in a gathering which consists of more than six people unless— ...

- (f) the gathering consists of no more than 15 persons and—
 - (i) it is for the purposes of the solemnisation of a marriage, formation of a civil partnership or conversion of a civil partnership, in accordance with the Marriage Act 1949(b), the Marriage (Registrar General's Licence) Act 1970(c) or the Civil Partnership Act 2004(d), and*
 - (iii) the gathering organiser or manager complies with paragraph (5G),**
- (g) the gathering is for the purposes of attending a funeral and—
 - (i) it consists of no more than 30 persons,*
 - (ii) it takes place—
 - (aa) at premises (other than a private dwelling) which are operated by a business, a charitable, benevolent or philanthropic institution or a public body,*
 - (bb) at premises (other than a private dwelling) which are part of premises used for the operation of a business, a charitable, benevolent or philanthropic institution or a public body, or*
 - (cc) in a public outdoor space which does not fall within paragraph (aa) or (bb), and**
 - (iii) the manager, in the case of gathering taking place at premises mentioned in paragraph (ii)(aa) or (bb), or the gathering organiser, in any other case, complies with paragraph (5G),**
- (h) the gathering is a wedding reception, reception following the formation of a civil partnership or reception following the conversion of civil partnership to a marriage and—
 - (i) it consists of no more than 15 persons,*
 - (ii) it takes place in premises other than a private dwelling, and*
 - (iii) the gathering organiser complies with paragraph (5G),**

...
[[5B) and (5C) omitted]

So subsection (g) has been amended to take away the part we were relying upon.

² As per the Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 5) Regulations 2020, regulation 2: https://www.legislation.gov.uk/uksi/2020/1029/pdfs/uksi_20201029_en.pdf