

Dear Fathers,

Here are some notes to help you with the completion of the pre-nuptial enquiry form (edition 3) that is used in this Archdiocese for all marriages. If you have any further questions please be in touch with the chancery (0131 623 8902 or chancery@staned.org.uk)

Section A BIOGRAPHICAL DETAILS

To be **completed for all marriages** and retro-active validations (convalidations) of marriage.

Section B PERMISSION TO MARRY OUTSIDE THE PARISH OF DOMICILE

To be completed if the marriage is taking place in a parish **where neither party has a residential qualification** required by c. 1115 of the Code of Canon Law. The Parish Priest of the Catholic party by this action releases the canonical requirement for domicile to another minister, usually the celebrant of the marriage.

It happens sometimes that there is confusion as to which parish priest is responsible for preparing the couple for marriage and completing the pre-nuptial enquiry. Canon law is clear that it is always the obligation and right of the proper pastor of the Catholic party (one of the Catholic parties) to prepare his parishioners for marriage. By common agreement **this obligation may be transferred to the parish priest of the place of marriage or to some other celebrating priest or deacon. This is done by completing Section B of the Archdiocesan Pre-nuptial Enquiry Form.** The marriage should be recorded in the registers of the place of marriage, and it is this parish that should keep the pre-nuptial papers.

Section C DELEGATION AND SUB-DELEGATION

To be completed by the Parish Priest of the place **where the marriage is taking place** to grant the faculty to witness marriage to the celebrant of the marriage.

Section D MIXED RELIGION

To be completed by the **Catholic spouse** who wishes to marry a baptised Christian who is not in full communion with the Catholic Church **and by the priest preparing the paperwork.** Permission will be granted by the Ordinary / Chancellor.

Section E **DISPARITY OF CULT**

To be completed by the **Catholic party** requesting a dispensation from **Disparity of Cult** to marry a person who is not baptised. Please note that the **promise made by the Catholic party in Section D must also be signed here.** The dispensation will be granted by the Chancellor / Ordinary.

Section F **CANONICAL FORM**

To be completed by the **Catholic party** who wishes to celebrate marriage with a baptized member of another recognized Christian Communion according to the form of marriage recognized by that Christian Communion and in a suitable place for the celebration for marriage (see notes below). The dispensation will be granted by the Chancellor/Ordinary.

Section G ***LITTERAE TESTIMONIALES***

FOR OFFICE USE ONLY: To be completed by the Chancellor/Ordinary of this archdiocese after the processing of marriage papers. Complete papers then forwarded to the receiving Chancery of the diocese in which the marriage is to be celebrated for final processing.

Section H ***NIHIL OBSTAT AND IMPRIMATUR***

FOR OFFICE USE ONLY: To be completed by the Chancellor/Ordinary of this archdiocese on reception of marriage papers transferred from another Diocesan Chancery concerning a marriage to be celebrated in this archdiocese.

SUMMARY - what to do.....

i) For MARRIAGE BETWEEN TWO CATHOLICS resident in your parish

1. Complete **Section A**
2. Ignore the other Sections
3. As usual, **retain** the prenuptial enquiry together with baptism and confirmation certificates and letters of freedom **in your parish archives.**
4. **Notify the parish of baptism of the Catholic parties** that the marriage has taken place. Place the **'notification return'** once received, stamped and dated in the archive file for this marriage in the normal way. If one or both of the Catholic parties' place of baptism is your parish, complete your own baptism register in the usual way.

ii) For **MIXED MARRIAGES** between a Catholic in your parish and a baptised Christian not in full communion with the Catholic Church.

1. Complete **Section A**
2. Compete **Section D**
3. Send the completed pre-nuptial enquiry form **ONLY** to the Chancery for processing.
4. You will receive the processed prenuptial enquiry form with completed permission for mixed religion in the normal way.
5. Retain the processed pre-nuptial enquiry form together with baptism and confirmation certificates and letters of freedom in your parish archives.
6. **Notify the parish of baptism of the Catholic Party in the usual way** that the marriage has taken place. Place the 'notification return' once received, stamped and dated in the archive file for this marriage. If the Catholic's place of baptism is your parish, complete your own baptism register in the usual way.

iii) For **Marriages between a baptised Catholic of your parish and a person who is not baptised: DISPARITY OF CULT**

1. Complete **Section A**
2. Compete **Section E**
3. Send the completed pre-nuptial enquiry form **ONLY** to the Chancery for processing.
4. Your will receive the processed prenuptial enquiry form with completed permission for disparity of cult in the normal way.
5. Retain the processed pre-nuptial enquiry form together with baptism and confirmation certificates and letters of freedom in your parish archives.
6. **Notify the parish of baptism of the Catholic Party in the usual way** that the marriage has taken place. Place the 'notification return' once received, stamped and dated in the archive file for this marriage. If the Catholic's place of baptism is your parish, complete your own baptism register in the usual way.

iv) For **Marriages between a Catholic and a baptised non-Catholic with DISPENSATION FROM THE CANONICAL FORM OF MARRIAGE**

1. Complete **Section A**
2. Compete **Section D and section F**
3. Send the completed pre-nuptial enquiry form **ONLY** to the Chancery for processing.

4. You will receive the processed prenuptial enquiry form with completed permission for mixed religion and dispensation from canonical form in the normal way.
5. Retain the processed prenuptial enquiry form together with dispensations, baptism and confirmation certificates and letters of freedom in your parish archives in the usual way.
6. **Notify the parish of baptism of the Catholic party when the marriage has taken place.** File the 'notification return' once received, stamped and dated in the archive file for this marriage in your parish. If the Catholic's place of baptism is your parish, complete your own baptism register in the usual way.

IMPORTANT POINTS

- a) In the straightforward case of a **marriage celebrated between two Catholics within Scotland** - whether in this diocese or in another Scottish diocese - please complete the pre-nuptial enquiry form together with appropriate baptism/confirmation certificates and letters of freedom and **send it DIRECTLY to the parish in which the marriage is to be celebrated.** However, should you prefer the Chancery to assemble the papers for you and then and transmit them to the parish in which the marriage is to be celebrated, this can be done also. There is an agreement between all the bishops of the Bishops' Conference of Scotland.
- b) For all marriages which **will take place outside Scotland.** Please complete the appropriate sections of the prenuptial enquiry form as above and sent it together with all necessary documents (baptism and confirmation certificates and letters of freedom) to the Chancery for processing. These will then be processed and forwarded to the Chancery of the diocese in which the marriage is to take place for completion before onward transmission to the parish of celebration.
- c) It need hardly be said but all Catholic baptism and confirmation certificates and letters of freedom must be **ISSUED NOT MORE THAN SIX MONTHS PRIOR TO THE MARRIAGE TO BE CELEBRATED.** Certificates which are out with these dates are **INVALID.** Please **not** send original certificates as they are useless for this purpose.

- c) **PLACE OF MARRIAGE:** Catholic marriages should normally be celebrated in the parish church of the Catholic party - often the bride's - or, in the case of a mixed marriage, in the parish Church or usual place of worship of the non-Catholic party (c. 1114-1118). Dispensations from canonical form will **NOT** be granted simply to avoid the canonical requirement for the marriage to take place as above if the baptised non-Catholic has little or no affiliation with the place of worship or the denomination of the requested place for marriage. Due to the increasingly secular pressure placed on couples by the 'wedding industry', the canon on suitable places of marriage will be interpreted strictly.
- d) **UNSUITABLE PLACES FOR MARRIAGE:** Due to an agreement of June 1997 among the members of the Scottish Bishops' Conference, permissions will **NOT** be given for marriage to take place in hotels, castles, outdoor locations or ruined monastic buildings. Permission will **NOT** normally be given either for marriages in convent chapels or schools chapels. Catholic celebrations of marriages will not normally be permitted in the private oratories of Catholic Houses, unless they are suitable places where Mass is regularly celebrated. In this diocese, such a suitable place at the moment Falkland Palace in Fife, which is also a parish. Marriages are celebrated also in the University Chapel, St Salvator's, in the University of Saint Andrews with the Archbishop's prior permission and only with the approval and consent of the Parish Priest of St James' St Andrews.
- e) **Prior Marriage**
It is essential that where a party to a proposed marriage has been married before **NO** arrangements are made for the solemnizing of the new marriage until canonical freedom to marry has been declared by the Archdiocesan Office or the appropriate Tribunal. This prohibition includes the fixing of a date for marriage, even just a 'provisional date' to obviate the disappointment of the couple should the freedom not be established. **ALL** cases where someone previously married expresses their intention to marry again, except where the prior marriage was dissolved by death and an authentic death certificate is produced, **MUST** be referred to the Diocesan Curia so that the relevant marriage

databases can be searched and a Decree of Freedom to Marry be issued. This does not apply, obviously, to cases of simple convalidation.

f) **Marriages of Eastern Rite Catholics**

Marriages between two Eastern Rite Catholics or between an Eastern Rite Catholic and a non-Catholic should be referred to the Curial Offices. The marriage of an Eastern Rite Catholic and a Latin Rite Catholic may be handled in the usual manner by the parish priest of the Latin Rite Catholic.

Archdiocesan Chancery
February 2013