EXPLANATORY MEMORANDUM TO

THE REGISTRATION OF BIRTHS, DEATHS, MARRIAGES AND CIVIL PARTNERSHIPS (FEES) (AMENDMENT AND TRANSITIONAL PROVISIONS) REGULATIONS 2026

2026 No. 233

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Home Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Mike Tapp, Minister for Migration and Citizenship at the Home Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Carly Blay, SCS for Passports, Citizenship, and Civil Registration, at the Home Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Deborah Twist at the Home Office can be contacted by email at the following address with any queries regarding the instrument: RGAdvisoryUnit@gro.gov.uk. Alternatively, the department can be contacted by telephone: 0300 104120.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument amends the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) Regulations 2016 ('the Fees Regulations'). It increases fees for civil registration services relating to marriage and civil partnerships provided by both the General Register Office (GRO) and the local registration service (LRS) to move the fees towards recovering the cost of providing the service.

4.2 This instrument also corrects a minor drafting error in the Registration of Births, Deaths, Marriages and Civil Partnerships (Fees) (Amendment) Regulations 2024, which set an incorrect amount for the fee payable to give notice to a registration authority for the issue of a certificate of no impediment. This document enables a United Kingdom national, who resides in England and Wales, to register a civil partnership in another country.

Where does the legislation extend to, and apply?

4.3 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is England and Wales.

4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England and Wales.

5. Policy Context

What is being done and why?

5.1 The Registrar General is responsible for the system of civil registration for England and Wales. Through the GRO, the Registrar General maintains a central record of registration events. The registration of births, deaths, marriages, and civil partnerships is delivered by 175 local authorities through the LRS, under the responsibility of the Ministry of Housing, Communities & Local Government, and the Welsh Government for Wales. Both the GRO and the LRS provide products and services relating to civil registration for a fee. They also provide free services such as the registration of a birth and a death.

5.2 Civil registration fees are usually set to fully recover the costs of providing the service, however, the fees for marriage and civil partnership services have been under the cost of providing the service for many years. This instrument will increase a range of marriage and civil partnership fees to bring them closer to a level which recovers the full cost.

5.3 In England and Wales any place of meeting for religious worship, except for the Established Church, must be certified to the Register General who is required to keep the register of all such buildings. Once registered the trustees of that building can apply for it be also registered as a place where marriages can be solemnized. These fees will increase by 10%.

5.4 A person who wishes to marry or form a civil partnership in England and Wales must give notice of their impending marriage or civil partnership to the superintendent registrar or registration officer of the district where they reside. A United Kingdom national who wishes to get married or form a civil partnership in another country must give notice before a certificate of no impediment can be issued. In exceptional circumstances an application to reduce the statutory waiting period, following their notice, can be made if there are compelling reasons to do so. A fee is payable by each person giving notice, and an additional fee is payable for applications to reduce the waiting period. The fees for these services will increase by 10%. Due to a drafting error when these fees were last increased in 2024, the fee for giving notice for a civil partnership aboard was incorrectly set at a lower rate than that for a marriage; we are therefore raising that fee by 20%.

5.5 Registration official(s) must attend civil partnership formations and marriages taking place in register offices, in the place where a housebound or detained person usually resides, and where the trustees of a registered building have not appointed an authorised person to oversee the marriage. A fee is payable for a registration official to attend the ceremony with the fee reflecting where the service is to take place; we are raising these fees by 10%.

5.6 Where one or both of the parties to a marriage or civil partnership is seriously ill, is not expected to recover, and they cannot be moved to a place where a marriage or civil partnership would normally take place, the Registrar General can issue a licence authorising the marriage or civil partnership to take place without the need for the usual waiting period, and the registration officials will attend the place where the seriously ill person is, for example a hospital or hospice. Due to the urgent nature of these ceremonies the service is provided 24 hours a day, 365 days a year; we are raising the fees for these licences by 10%

What was the previous policy, how is this different?

5.7 The LRS relies on funding from fees to operate at a reasonable level. Without a review of the existing civil registration fees, there are significant risks that service may be diminished because of lack of access to appropriate funding. This in turn may limit their ability to continue to deliver the core free statutory services such as the registration of births and deaths.

5.8 An increase of c.100% would be needed to fully recover costs for these services which does not align with other fee increases across Government. The Registrar General has therefore committed to review and increase these fees annually to ensure they reach full cost recovery in a phased and proportionate way. There is no change in policy or to the services provided.

6. Legislative and Legal Context

How has the law changed?

6.1 The Fees Regulations consolidate fees for registration services relating to births, deaths, marriages and civil partnerships. Fee amounts are set out in the table in Schedule 1 to the Fees Regulations.

6.2 This instrument increases the fees listed in Schedule 1 to the Fees Regulations which are related to marriage and civil partnership services only by 10%. The fee for a civil partnership certificate of no impediment will increase by 20% (from £38.50 to £46.50) bringing it in line with the equivalent fee for a certificate of no impediment for giving notice for a marriage taking place abroad. This instrument also makes transitional provision for so that the fees in force immediately before 6th April 2026 continue to apply where an application or request for a service is made before that date, or where the service arises from action taken before that date. Where a fee has already been paid at the amount in force before 6th April 2026, the amended fee does not apply. Section 31(5A) of the Marriage Act 1949 and section 12(1) provides for a person (who has given notice to marry or form a civil partnership) to apply to the Registrar General to reduce the statutory waiting period if there are compelling reasons to do so due to the exceptional circumstances of the case. The application fee is paid by the person giving notice to the superintendent registrar and regulation 3A of the Fees regulations defines this to be a category C fee with a proportion of the fee payable to the Registrar General to reflect the work done by the General Registrar Office in considering the application. As the fee for an application to reduce the waiting period listed in Schedule 1 is increasing by 10%, this instrument also amends regulation 3A in relation to the category C fee; increasing the amount the civil registration official must pass to the Registrar General from £44.00 to £48.00.

Why was this approach taken to change the law?

6.4 This is the only possible approach to make the necessary changes.

7. Consultation

Summary of consultation outcome and methodology

7.1 There was no public consultation on the fees set out in this instrument because there are no significant impacts on the policy or structure of the fees.

7.2 The GRO engages quarterly with the National Panel for Registration, a representative body for the LRS across England and Wales and Regional Registration Groups. Targeted engagement has been carried out with a sub-group of the National Panel, the

Fees and Funding Working Group. Both recognise and support the need to bring these fees up to a level which recovers the full cost, and continuous engagement with these groups has informed the development of fees.

8. Applicable Guidance

8.1 The Home Office guidance to staff and to the LRS will be updated to reflect these changes. It will be made available at the time the Regulations are laid. Guidance to general members of the public will be amended to reflect the fee changes and published on GOV.UK and a table of fees will be made available for public display within each register office on 9 March 2026, the day the Regulations are laid. [1]

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because there are no new duties or charges placed upon business, charities or voluntary bodies. Expected additional revenue for the GRO is minimal and is estimated at £8k per year. For the LRS, it is estimated as £2 million per year.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because only those accessing the service will be required to pay a fee.

9.3 The legislation does not impact small or micro businesses.

9.4 The impact on the public sector is expected additional revenue for the GRO of £8k per year and for the LRS, it is estimated as £2 million per year.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is through annual review and increases to ensure these fees reach and then maintain full cost recovery. The Registrar General has committed to ongoing stakeholder engagement with the sub-group of the National Panel, the Fees and Funding Working Group to review the cost of delivering the service compared to the fee charged to ensure MPM principles are maintained.

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

[1] www.gov.uk/marriages-civil-partnerships/plan-your-ceremony

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").