

Having a nikah?

Legal things you need to think about

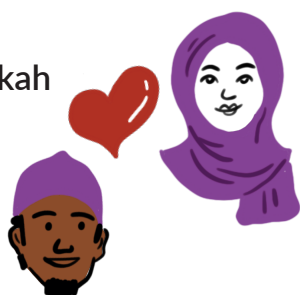
Religious marriages like a nikah are not automatically recognised as a legal marriage in England and Wales, read on to find out what that can mean for you.



Things you might be thinking about

You may:

Be happy to just have a nikah without a legal marriage - to get to know each other better.



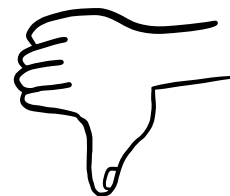
Have had your nikah a while ago and have been religiously married for a long time, and haven't got around to the legal wedding yet.



Wonder why legal marriage is necessary as millions of people cohabit without getting legally married.



Feel that the legal process is too bothersome.



Marriage has different meanings for different couples. It is a good idea to find out what the best option is for you.



What happens if my partner dies?

If your marriage is recognised by law there is a legal framework to help you negotiate what happens next if your spouse passes away.

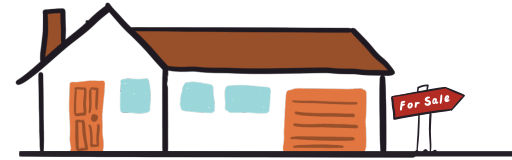


If one of you dies without a legal will expressing your wishes, **in a legally recognised marriage the remaining spouse automatically inherits most or all of the assets** and does not have to pay inheritance tax.



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With a nikah alone, when one partner dies, the other has no **automatic right** to any share of their assets and also has to pay inheritance tax where due. This means that if you live in a shared property, you could lose your home.



What happens if we split up?

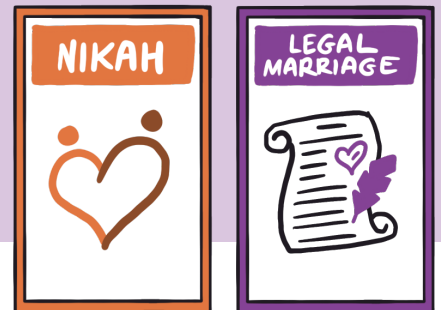
The breakdown of a relationship is always hard, but **no-fault divorce**, where you do not have to blame one party for the breakdown of the relationship, makes this legally much simpler.

A green sign on a black post that says 'NO FAULT DIVORCE' in white capital letters.

While there is no rule that your property or savings have to be shared 50/50, **the courts have the power to make orders to meet the needs of each person.**



If you only have a nikah, you do not have legal rights to **any assets as a spouse.** If there is a separation, you can make a claim to the courts under property law but this is usually very costly.



Where can I get advice?

It would be a good idea to get legal advice from a **solicitor who specialises in family issues or your local citizens advice bureau.**

If you do wish to get legally married there are people who can help you at your local register office or you can visit: **www.gov.uk/marriages-civil-partnerships**

Some mosques also offer a combination ceremony where you are legally and religiously married at the same time. Check with your local mosques to see if they are registered for legal weddings.

This infographic was produced following research carried out by the Universities of Warwick and Exeter. For more information about the research please visit: bit.ly/non-legally-binding-ceremonies