

LAWS OF DOMINICA

MARRIAGE ACT

CHAPTER 35:01

Act
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**Note
on
Subsidiary Legislation**

This Chapter contains no Subsidiary Legislation.

**Note
on
Omission**

The Marriage Order (No. 2) 1979 (S. R. O. 28/1979) has been omitted.

CHAPTER 35:01

MARRIAGE ACT

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CHAPTER 35:01

MARRIAGE ACT

AN ACT to regulate marriages in the State of Dominica and to amend the law relating to the registration of marriages.

1961 Ed.
Cap. 191.
2 of 1910.

[1st January 1911]

Commencement.

PART I

PRELIMINARY

1. This Act may be cited as the –

Short title.

MARRIAGE ACT.

2. In this Act –

Interpretation.

“Registrar General” and “Registrar” mean respectively the persons appointed under this Act to be “Registrar General” and “Registrar” for the purposes of this Act;

“marriage officer” means marriage officer appointed under this Act;

“registered building” means building registered under this Act as one wherein banns of marriage may be published;

“Schedule” means Schedule to this Act;

“district” means any of the marriage districts of the State as hereinafter provided;

“pauper” means a person in receipt of poor relief from the funds of the State, and certified as such by the Magistrate exercising jurisdiction in the district in which he resides.

PART II

REGISTRARS AND MARRIAGE DISTRICTS,
MARRIAGE OFFICERS, REGISTRAR GENERAL,
REGISTERED BUILDINGS, ETC.

REGISTRARS AND MARRIAGE DISTRICTS.

3. (1) The Magistrates for the State of Dominica shall be *ex-officio* Registrars for the districts in which they exercise jurisdiction

Ex-officio
Registrars.

save that the Registrar of the High Court for the Dominica Circuit shall be *ex-officio* Registrar for the magisterial district in which the city of Roseau is included (which district is in this Act hereafter referred to as the Roseau district) and shall also be *ex-officio* Registrar General.

Marriage districts.

(2) The several magisterial districts into which the State may from time to time be divided, shall also be the several marriage districts of the State for the purposes of this Act.

Alteration of limits of district does not affect proceedings begun.

(3) No alteration at any time made in the limits of any such registration district shall affect any proceedings which at the time of the alteration are being taken under this Act to procure due solemnisation or celebration of any marriage, but such proceedings may be continued and shall have the like effect as if the alteration of limits had not taken place.

Duties of senior clerk.

4. The senior clerk to the Registrar of the High Court shall be *ex-officio* Assistant Registrar for the Roseau district and upon every occasion upon which the Registrar for the Roseau district is absent from his office the duties of Registrar for the Roseau district shall devolve upon and be performed by the senior clerk who shall while performing such duties have all the powers of the Registrar of the Roseau district in connection therewith.

Salaries to be inclusive.

5. The salary of the Registrar of the High Court and of the senior clerk to the Registrar respectively shall be inclusive of all fees and emoluments in respect of the duties of Registrar General, and Registrar and Assistant Registrar of the magisterial district in which the city of Roseau is included.

MARRIAGE OFFICERS

Appointment of marriage officers.

6. (1) Every –

- (a) male minister of the Christian religion ordained or otherwise set apart to the ministry of the Christian religion, according to the usage of the denomination to which he belongs; and
- (b) such minister who, although not ordinarily resident in the State is the recognised head within the State of the denomination to which he belongs,

shall be entitled to be appointed by the Minister a marriage officer for the State unless the Minister is satisfied that he is unfit to be so appointed.

(2) The Minister may in any case require any applicant for appointment to prove that he is a minister of the Christian religion so ordained or set apart as aforesaid.

(3) The Registrar General and every Registrar shall be *ex-officio* a marriage officer.

(4) Every marriage officer may act as such throughout the State.

(5) Every minister of the Christian religion ordained or otherwise set apart to the ministry of the Christian religion according to the denomination to which he belongs, who is lawfully a marriage officer in any other State, may solemnise a marriage in accordance with the provisions of this Act, and shall, save as provided in subsection (6), be deemed to be a marriage officer appointed under this Act; but the solemnisation shall take place in the presence of a marriage officer appointed under this Act.

(6) Where any marriage is solemnised by a marriage officer of any other State under the provisions of subsection (5), the marriage officer appointed under this Act in whose presence the marriage is solemnised shall comply with the requirements of sections 57 and 58 as to the keeping of marriage registers and the making of duplicates thereof, and shall be deemed to be the marriage officer for the purposes of such sections, and shall enter upon the original register and duplicate register, being in the Forms K and L respectively in the Schedule, that the marriage was solemnised in his presence by a minister of religion, stating the name and address of the minister, and the original register and duplicate register shall be signed by the minister of religion solemnising the marriage.

Forms K and L.

7. (1) No marriage officer being a minister of a Christian religion shall be required to act as such with respect to any marriage which is contrary to, or desired to be solemnised in any manner other than is prescribed by the rules of the religious denomination to which he belongs.

Power to refuse to act.

(2) Nor shall a marriage officer being a minister of the Christian religion be liable to any penalty for solemnising with the consent in writing of the recognised head, if any, within the State, of the denomination to which he belongs, according to the rules and rites of his denomination the marriage of parties who are desirous of being religiously united in accordance with the rules of such denomination,

Marriage officer may solemnise marriages in accordance with the rules of his denomination.

but are unable to comply with the requirements of this Act; but the performance of the ceremony shall be totally void and of no effect as a marriage in law and the marriage ceremony shall not be entered in the marriage register book required to be kept by this Act.

Application for
appointment as a
marriage officer.

8. (1) All applications by ministers of religion for appointment as marriage officers must be made in writing and forwarded to the Registrar General, who shall without delay transmit the same to the Minister.

(2) Every minister of religion acting as such for a congregation or having the local superintendence of several congregations, who applies to be appointed a marriage officer, must state in his application the name or other description of the place of public worship in which he acts, or of the places of public worship of the congregations over which he has such local superintendence and the postal address to which all communications intended for him may be addressed.

Notification of
ministers of
religion ceasing
to act.

9. Any marriage officer being a minister of religion who ceases to act as such minister of religion shall forthwith notify the fact to the Registrar General.

Marriage officer
may resign.

10. Any marriage officer appointed by the Minister may resign his appointment as such by notifying his resignation to the Registrar General. The resignation shall be notified in the *Gazette*, and shall take effect from the date of publication.

Notification in
Gazette.

11. A marriage officer when duly appointed shall retain his office until it is notified in the *Gazette* that he has ceased to be a marriage officer.

Temporary
absence of
marriage
officers.

12. (1) Any marriage officer intending to be temporarily absent from the State shall notify the Registrar General of such intention, and shall make such arrangements for the custody of the marriage register books supplied to him as shall be satisfactory to the Registrar General.

(2) Subsection (1) of this section shall not apply to a marriage officer of the class referred to in section 6(1)(b), provided he complies with such requirements for the safe custody of the register books as may be prescribed by any general or special instructions of the Registrar General.

13. The Minister shall have full power on good cause being shown to cancel the appointment of any marriage officer. In the event of an appointment of a marriage officer being cancelled the fact and cause thereof shall be communicated to the recognised head within the State, if any, of the religious denomination to which he belongs.

Power to cancel appointment.

14. (1) The Registrar General shall keep a register in accordance with Form A in the Schedule, of all marriage officers appointed under this Act.

Register of marriage officers. Form A.

(2) Whenever any marriage officer changes his postal address as last recorded on the list of marriage officers at the Registrar General's office, or takes the active charge or superintendence of any place or places of worship his charge or superintendence of which is not recorded at such office, he shall forthwith report in writing to the Registrar General the change of residence, postal address or ministerial charge, and in default thereof his appointment as marriage officer may be cancelled.

15. Every application, notice or other notification required by or under this Part of this Act to be sent to the Registrar General shall, in case the minister concerned is a member of any denomination having a recognised head in the State, be sent through such head.

Applications, notice, to be sent to Registrar General.

16. All appointments under this Part of this Act shall be published in the *Gazette*.

Appointments to be published in *Gazette*.

REGISTRAR GENERAL

17. (1) The Registrar General shall furnish to each Registrar a book to be called a "Marriage Notice Book", which shall be in the Form B in the Schedule and a sufficient number of forms of certificates in the form or to the effect set forth in Form C in the Schedule which shall be accounted for by the Registrar to the Registrar General.

Marriage notice books.

Form B.

Form C.

(2) The cost of providing marriage notice books and forms of certificates shall be defrayed from public funds.

18. Neither the Registrar General nor a Registrar shall perform any function or act in respect of marriages elsewhere than in an office appointed under this Act for the purpose or otherwise than in accordance with the express provisions of this Act.

Limitation of Registrar's powers.

Appointment of
offices.

19. (1) The Minister may at any time and from time to time, appoint any building or buildings to be the office or offices of the Registrar General and of the Registrars for the purpose of this Act, and on notice thereof being published in the *Gazette* such place or places shall be the office or offices of the Registrar General and of the Registrars for the purposes of this Act.

(2) There may be more than one such office in any one district. The Minister may at any time cancel any appointment made under this section of this Act.

REGISTERED BUILDINGS

Registration of
buildings in use
at commence-
ment of Act.

20. (1) The head of every denomination of the Christian religion in the State shall, within one month after the coming into operation of this Act, make out and send to the Registrar General a list of all buildings exclusively used as places of public Christian worship belonging to the denomination of which he is head, wherein banns of marriage have been usually published and the Registrar General shall register the same in a book to be kept for that purpose at his office, and shall make out and cause to be published in the *Gazette* a list of all such buildings, and shall state in the list the district within which each building so registered is situated, and a copy of the list or a copy of the *Gazette* containing the same shall be sent to every marriage officer by the Registrar General.

(2) Where it is desired to register a building belonging to a denomination which has no head in the State, and which has been exclusively used as a place of public Christian worship belonging to such denomination and wherein banns of marriage have been usually published, the person in charge of the building shall do as regards the building, what is, by subsection (1) required to be done by the head of a denomination, and the Registrar General shall deal with the same in the manner provided by the said subsection.

Registration of
buildings at any
time.

21. (1) Any proprietor or trustee or any other person who has sole control of a separate building used as a place of Christian worship may apply to the Registrar General in order that the building may be registered for the publication of banns, and in such case shall deliver or send to the Registrar General a certificate signed by not less than five householders resident within the district, that the building has been and is intended to be used as a usual place of public religious worship, and that they are desirous that such place should be registered as aforesaid,

which certificate shall be countersigned by the proprietor or trustee or other person making the application.

(2) On receipt of the certificate, and on sufficient cause being shown to him, the Registrar General shall register the building in the book in which buildings used for the publication of banns are registered, and the Registrar General shall endorse on the certificate the date of the registration, and shall keep the same with the other records of his office, and shall give a certificate of the registration under his hand on stout paper to the proprietor or trustee or other person by whom the certificate is countersigned, and shall give public notice of the registration of the building by advertisement in the *Gazette*.

(3) For every such entry, certificate and publication, the Registrar General shall receive at the time of delivery to him of the application to register the sum of twenty-five dollars.

22. Any building which has been and is intended to be used exclusively for public religious worship shall be taken to be a separate building for the purpose of being registered under section 21, notwithstanding the same is under the same roof with any other building or forms a part only of a building. Separate building.

23. The use of any building for the purposes of a school or the holding of any entertainment therein for any object in connection therewith while religious worship is not going on therein shall not prevent such building being registered for the publication of banns. Use of building as school, etc.

24. (1) If at any time subsequent to the registration of any building, it is made to appear to the satisfaction of the Registrar General that the building has been disused for the public religious worship of the congregation on whose behalf it was registered as aforesaid, the Registrar General shall cause the registration thereof to be cancelled; and if it is proved to the satisfaction of the Registrar General that the same congregation use instead thereof some other such building for the purpose of public religious worship, the Registrar General may substitute and register such new place of worship instead of the disused building. Cancellation of registration.

(2) Every application for cancelling the registration of any such building or for the substitution and registration of a substituted building, shall be made to the Registrar General, and the cancellation or substitution when made and the date thereof, shall be entered in the

book provided for the registration of the building, and shall be certified and published in the manner hereinbefore provided in the case of the original registration of the disused building.

(3) For every such substitution the Registrar General shall receive, at the time of the delivery of the certificate, from the party requiring the substitution, the sum of two dollars and forty cents.

(4) After any such cancellation or substitution has been made by the Registrar General, it shall not be lawful to publish banns in such disused building, unless the same is again registered in the manner hereinbefore provided.

Rebuilding or
repair of
registered
building.

25. In any case in which any registered building is being rebuilt or under repair, the Registrar General may on application in writing made to him for that purpose order and direct that banns of marriage may be published in any church or other building in the same district, which he, by order in writing directs until the registered building is again opened for the performance of divine service, and during all such period the said church or building shall, for all purposes relating to the publication of banns of marriage, be deemed and taken to be the registered building so being rebuilt or under repair as aforesaid.

Notice to be
placed in
building.

26. In some conspicuous place at the main entrance or one of the main entrances of every registered building, a notice in the words following shall be placed:

“Banns may be published in this building.”

Consent required
for use of
registered
building.

27. No banns shall be published in any registered building without the consent of the minister or other person having the charge and control thereof, or of the head of the denomination to which the minister belongs, where he is by law empowered to give such consent.

PART III

RESTRICTIONS OF MARRIAGE

PERSONS WHO MAY NOT INTERMARRY

Prohibited
degrees.

28. (1) Intermarriage between the persons hereinafter mentioned is hereby prohibited, namely –

(a) in the case of persons related by blood, between –

(i) ascendants and descendants, namely, parents

and children upward and downward *ad infinitum*;

- (ii) brothers and sisters, or step-brothers and step-sisters;
- (iii) uncles and their nieces, that is their brother's or sister's children or grand-children and descendants, or aunts and their nephews, that is, their brother's or sister's sons or grandsons or their descendants, in both classes of cases *ad infinitum*.

(b) in the case of persons related by affinity, between –

- (i) a husband and any kinswoman or kindred of his deceased wife or the wife and any kinsman or kindred of her deceased husband, related to such husband or wife in the hereinafter stated degrees, namely, between any person and his daughter-in-law, that is his son's widow or his son's or daughter's son's widow and so downward any widow of any of his descendants, or any wife and her son-in-law, that is, the husband of her deceased daughter, or the husband of her son's or daughter's daughter, and so downward the husband of any of her descendants;
- (ii) any man and his step-daughter, that is the daughter of a former marriage of his wife, or of any of his said wife's descendants, or any woman and her step-son, that is the son of a former marriage of her deceased husband, or any of her said husband's descendants;
- (iii) any man and his wife's niece or the widow of his nephew, that is, the widow of his brother's or sister's son or the widow of any of his brother's or sister's descendants, or any widow of her husband's nephew or the widower of her brother's or sister's daughter, or the husband of any of her brother's or sister's grandchildren or descendants.

(2) Provided always that any man may hereafter marry the sister of his deceased wife.

Marriages within
prohibited
degrees void.
[35 of 1965].

29. (1) Any marriage solemnised or celebrated between persons forbidden to intermarry shall be null and void.

(2) Any marriage solemnised or celebrated between persons either of whom is under the age of sixteen years shall be null and void.

Restriction in
cases of
minority.

30. (1) Where either of the parties, not being a widower or widow is under the age of eighteen years, no marriage shall take place between them until the consent –

- (a) of the father (if then living) of the party so under age; or
- (b) if the father is dead, of the guardian or guardians of the person of the party so under age, lawfully appointed, or one of them; or
- (c) if there is no such guardian or guardians, of the mother if living and unmarried; or
- (d) if there is no mother living and unmarried, then of a guardian or guardians of the person appointed by the High Court or a Judge thereof,

has been first obtained; and when there is no person capable of consenting, the marriage may be sanctioned as prescribed in section 31.

(2) Persons who have reached the age of eighteen years and widowers and widows may marry without the consent of others.

Special authority
in certain events.

31. In case any parent or guardian whose consent is necessary to a marriage is *non compos mentis*, or absent from the State, or otherwise incapable as aforesaid of consenting, or withholds his, her, or their consent to any marriage, or in case there is no person capable of consenting, it shall be lawful for any person desirous of marriage, to whose marriage the consent is necessary but cannot be given, or is withheld, to apply, by petition, to a Judge of the High Court, who is hereby empowered to proceed upon the petition in a summary way, and, in case the marriage proposed shall, upon examination, appear to him to be proper, the Judge shall judicially declare, by his order in writing, that the marriage is proper and may be solemnised or celebrated forthwith; and every marriage duly solemnised in pursuance or under the authority or direction of such order shall be as good, valid, and effectual, to all intents and purposes whatsoever, as if the consent as aforesaid had been duly given thereto.

PART IV
PRELIMINARIES TO MARRIAGE

32. Except in the cases mentioned in Part VII of this Act, no marriage shall be solemnised or celebrated unless there is produced to the marriage officer solemnising or celebrating the marriage a certificate or certificates, as the case may be, in the form or to the effect set out in Form D in the Schedule of the due publication of the banns within the preceding three months, or a Minister's licence which is still in force or a certificate or certificates from the Registrar General or a Registrar which is or are still in force; but where a marriage is solemnised by a marriage officer officiating in the registered building in which banns of the marriage have within the aforesaid period been duly published, or celebrated at the office of the Registrar General or Registrar where any notice relating to the marriage and still in force has been duly given, it shall not be necessary to issue a certificate of the publication in such registered place or of the notice given in such office.

Authority for
solemnisation or
celebration.

Form D.

BANNS OF MARRIAGE

33. (1) Any minister of the Christian religion, ordained or otherwise set apart to the ministry of the Christian religion, according to the usage of the persuasion to which he may belong, if appointed as a marriage officer (but not otherwise), may himself or by someone officiating under his control publish banns of marriage between persons desirous of being joined together in matrimony.

Publication of
banns.

(2) The publication shall be made in an audible manner some time during public Divine Service on a Sunday, in the face of the congregation before whom and in the registered building in which the minister officiates and in the district in the State in which both of the parties to be married dwell, shall be in the words as nearly as may be in Form E in the Schedule, and shall contain the forename and surname and place of abode of each of the said parties, and shall be published on three Sundays within a period not exceeding three months preceding the solemnisation of the marriage.

Form E.

(3) If the parties to be married dwell in different districts or places in the State the banns shall be published in like manner in each district or place.

(4) If one or both of the parties dwell in any district in the State

in which there is no registered building used for public Christian worship belonging to the denomination to which he or she belongs, then a notice to the Registrar of the district, in which either or both parties dwell shall be given in accordance with the provisions of section 46, and shall be in substitution for publication of the banns in respect of such of the parties to be married as dwell in the district and the certificate of the Registrar General or the Registrar issued under section 49, shall be accepted as sufficient evidence of the notification in all respects in respect of the party or parties.

Manner of
publication when
parties dwell
outside the State.

34. If either of the parties to be married dwells in any place, district or parish without the State, the banns shall be published in the place, district or parish (both within and without the State) in which each party dwells, and the manner of publication of the banns within the State shall be in accordance with the provisions of section 33.

Notification
before banns.

35. No marriage officer shall be obliged to publish banns between any persons whomsoever, unless the persons to be married, two days at the least before the time required for the first publication of the banns respectively, deliver, or cause to be delivered to the marriage officer, a notice of their true forenames and surnames, their respective rank, profession or occupation, and a description of their place, or respective places of abode in the district or place as aforesaid, and of the time during which they have dwelt in such place or places, and state whether they or one and if one only which of them, have or has been married before and the notice shall further contain a statement signed by both parties to the effect that they know of no lawful impediment to their marriage with each other.

Publication when
void.

36. (1) In all cases where any person, whose consent to a marriage is by this Act required, forbids the marriage and gives notice thereof before it is solemnised to the minister publishing the banns for the marriage the publication of the banns shall be void unless the person so objecting afterwards withdraws his objection, in which case the publication shall hold good.

(2) In all cases where three calendar months from the last publication of banns have elapsed without the marriage to which the banns relate having been solemnised, the publication of the banns shall be void.

(3) In either of the said cases before the parties can be married

by banns, it shall be necessary to re-publish banns anew, in the manner and form aforesaid, as if no banns had ever been published between them.

37. (1) The officiating minister at any registered building where banns have been duly published as aforesaid, shall, unless the publication is void, on the request of both or either of the parties whose banns have been so published give to the party requiring the same a certificate of the banns having been duly published in such building.

Certificate of publication of banns.

(2) For every such certificate the officiating minister shall be entitled to demand and receive a fee of ten dollars.

38. (1) The Registrar General shall provide for use at every building wherein banns may be published under this Act a proper register book of banns, in the form or to the effect set out in Form F in the Schedule, of substantial paper ruled and having the several pages numbered progressively wherein the particulars of all banns published in the said building shall be recorded; and immediately after each publication of banns the officiating minister, or the person officiating under his control shall enter the date of the publication and sign the same.

Supply of register book of banns.

Form F.

(2) Every marriage officer supplied with a register book of banns, shall safely keep and preserve the same in his district, and such book or books shall be open to the inspection of the Registrar General at all times.

MARRIAGE LICENCES

39. The Minister, subject to the restrictions hereinafter mentioned may, if he thinks fit in any case, on payment of a fee of one hundred and fifty dollars, grant a licence to marry without publication of banns, or notice of marriage under this Act.

Minister may grant marriage licences.
[28 of 1986].

40. (1) Where either of the parties, not being a widower or widow is under the age of eighteen years, no such licence shall be granted until the consent –

Restriction in cases of minority.

(a) of the father (if then living) of the party so under age;
or

(b) if the father is dead, of the guardian or guardians of the

person of the party so under age, lawfully appointed, or one of them; or

(c) if there be no such guardian or guardians, of the mother if living and unmarried; or

(d) if there is no mother living and unmarried, then of a guardian or guardians of the person, appointed by the High Court or a Judge thereof;

has been first obtained.

Marriage officer
may be stated in
licence.

41. The parties intending marriage or either of them may require that the licence shall authorise the solemnisation or celebration of the marriage in respect of which the licence is applied for by any marriage officer by whom the marriage could have been solemnised or celebrated if banns or notice of marriage thereof had been published as required by this Act.

Application for
licence.

42. (1) Any persons intending marriage who desire to obtain the licence shall apply to the Minister therefor by petition.

(2) The petition shall state –

(a) the forenames and surnames of the parties, their respective rank, profession or occupation;

(b) the place where, and the marriage officer by whom, the marriage is to be solemnised or celebrated;

(c) whether the parties or either of them have or has been previously married;

(d) that they know of no impediment of kindred or alliance or other lawful cause to prevent the proposed marriage;

(e) that one of the said parties has, for the space of fifteen days immediately preceding the application had his or her usual place of abode within the State;

(f) where either of the parties, not being a widower or widow, is under the age of eighteen years, that the consent of the person or persons whose consent to the marriage is required under this Act has been obtained.

Form G.

(3) The petition which shall be in the form or to the effect set forth in Form G in the Schedule, shall be signed by both parties and shall be accompanied by such evidence of the statements therein made as the Minister may from time to time prescribe in the case of such petitions.

43. The licence shall be in the form or to the effect set forth in Form H in the Schedule. Licence.
Form H.

44. If any objection to the grant of any licence for a marriage is lodged at the Government Office, Roseau, the objection being duly signed by or on the behalf of the person who lodges the same, stating his place of residence and the ground of objection, no licence shall issue till the Minister has examined into the matter of the objection, and is satisfied that it ought not to obstruct the grant of the licence for the said marriage, or until the objection is withdrawn by the party who lodges the same. Objections to
grant of licence.

45. In all cases where three calendar months from the date of the licence have elapsed without the marriage to which a licence relates having been solemnised or celebrated, the licence shall be void, and before the parties can be married by licence, a fresh licence must be obtained as if no licence had previously been granted. Licence void
three months
after date.

REGISTRAR'S CERTIFICATE

46. (1) Any persons intending marriage who desire to obtain a certificate under this Act from the Registrar General or a Registrar, shall give notice under their hands, in the form or to the effect set out in Form I in the Schedule, to the Registrar General or Registrar of the district within which they have dwelt for not less than seven days then next preceding, or if the parties dwell in different districts, each shall give the like notice to the Registrar General or Registrar of the district wherein he or she has dwelt for the period aforesaid. Giving notice of
marriage.

Form I.

(2) Every such notice shall have at the foot thereof, a statutory declaration made and signed by the parties or party giving the notice and stating –

- (a)* that they, or he, or she (as the case may be), know or knows of no impediment of kindred or alliance, or other lawful hindrance to the said marriage; and
- (b)* that they, or he, or she (as the case may be), have or has for the space of seven days immediately preceding the giving of the notice, had their, his, or her usual place of abode and residence within the district of the Registrar General or Registrar to whom the notice or notices (as the case may be) is or are so given; and

(c) when either of the parties intending marriage, and not being a widower or widow, is under the age of eighteen years, further stating that the consent of the persons whose consent to the marriage is by law required or of a Judge of the High Court has been given.

(3) The declaration may be made before and taken by any person by law authorised to administer an oath, or before and by the Registrar General or Registrar to whom the notice is about to be given.

(4) No such notice as aforesaid shall be received by any Registrar, unless the said notice is in or to the effect of the prescribed form, and accompanied by such declaration as aforesaid.

Filing notice.

47. (1) The Registrar General or Registrar to whom any such notice of marriage is given, on being satisfied that the notice is conformable to the requirements of this Act shall forthwith file the same with the records of his office and also enter the particulars thereof in the "Marriage Notice Book", and for every such entry the Registrar General or Registrar shall be entitled to a fee of two dollars and fifty cents.

(2) The marriage notice book may, at any reasonable time, on application to the Registrar General or Registrar, be inspected without fee by any person.

Publication of notice.

48. The Registrar General or Registrar receiving, filing and entering any such notice shall on the same day cause a notice thereof with a statement under his hand that any objections to the intended marriage must be lodged with him within twenty-one days from the date thereof, to be suspended or affixed in some conspicuous and accessible place outside his office for the twenty-one days next after the day of the entry of the notice in his "Marriage Notice Book." The notice and statement shall be in the form or to the effect set out in Form J in the Schedule.

Form J.

Certificate of notice.

49. (1) After the expiration of twenty-one days next after the day of entry of the notice in his "Marriage Notice Book," the Registrar General or Registrar shall issue under his hand, upon the request of any party giving the notice, a certificate in the form or to the effect set forth in Form C in the Schedule, provided that in the meantime no lawful impediment or valid objection to the marriage has been shown to exist.

Form C.

(2) For every such certificate the Registrar General or Registrar

shall be entitled to demand and receive a fee of five dollars; but no fee shall be claimed or paid in the case of a pauper.

50. (1) Any person may enter an objection to the issue of a Registrar General's or Registrar's certificate, on the ground of any legal impediment to a marriage between the parties, or of consent on the part of any person whose consent is required to the marriage, not having been obtained.

Objections to
issue of
certificate.

(2) The objections shall be in writing signed by or on behalf of the person who enters the same, shall state his name and place of residence and the ground of his objection, and shall be lodged with the Registrar General or Registrar of the district within twenty-one days from the date of the notice set up outside his office under section 48.

(3) When any objection is lodged as aforesaid the Registrar General or Registrar shall forward the objection to a Judge of the High Court who shall decide upon the same as expeditiously as the circumstances of the case will permit, the objection so forwarded being as far as practicable, regarded and dealt with as a petition to the Judge sitting in Chambers.

(4) The Registrar General or Registrar shall, in any such case, suspend the issue of his certificate until he receives a certified copy of the Judge's decision, and shall act in conformity therewith.

(5) The cost of and attending the decision on any objection by a Judge shall be in the Judge's discretion.

51. In all cases where three calendar months from the date of entry of notice have elapsed without the marriage to which a certificate relates having been solemnised or celebrated, the certificate shall be void and before the parties can be married by a Registrar General's or Registrar's certificate, a fresh notice must be given as if no proceedings had previously been taken to obtain a certificate.

Certificate when
void.

PART V

SOLEMNISATION OR CELEBRATION OF MARRIAGE

52. Every marriage shall, except in the cases mentioned in Part VII of this Act, be solemnised or celebrated as follows:

Solemnisation or
celebration.

- | | |
|-------------------|---|
| Time. | (a) between the hours of six in the morning and eight in the evening, if solemnised by a marriage officer other than the Registrar General or a Registrar, and between the hours of ten in the morning and four in the afternoon if celebrated by the Registrar General or a Registrar; but any minister of the Christian religion in the State may solemnise, at any time between the hours of six in the morning and eight in the evening any marriage, any law or usage to the contrary notwithstanding; |
| By whom. | (b) (i) by a marriage officer in the presence of two or more credible witnesses besides the marriage officer; |
| If by Registrar. | (ii) if the marriage officer is the Registrar General or a Registrar then the marriage must be celebrated in the office of the Registrar General or Registrar appointed for the purpose; |
| Form of ceremony. | (c) (i) according to such form and ceremony as the parties may see fit to adopt, provided that in some part of the ceremony the consent of each party to accept the other as his or her, wife or husband is clearly expressed in the presence of the marriage officer and the witnesses; |
| | (ii) if a marriage is celebrated in the office of the Registrar General or Registrar each of the parties shall say to the other –
<div style="padding-left: 40px;">“I call upon these persons here present to witness that I, A. B., do take thee, C. D., to be my lawful wedded wife (or husband).”</div> |

Addition of religious ceremony to civil if desired.

53. If the parties to any marriage contracted at the office of the Registrar General or Registrar desire to add the religious ceremony ordained or used by any Church or persuasion, to the marriage so contracted, they may present themselves for that purpose to any minister of such church or persuasion, and the minister, upon the production of their certificate of marriage before the Registrar General or Registrar, may, if he thinks fit, perform the marriage service of the church or persuasion to which he belongs but nothing in the performance of the service shall supersede or invalidate any marriage so previously contracted, nor shall the performance of the service be entered as a marriage among the marriages in any marriage register

provided under this Act: Provided also that at no marriage celebrated at the office of the Registrar General or Registrar shall any religious service be used at such office.

54. For every marriage celebrated in his office the Registrar General or Registrar shall be entitled to demand and receive from the parties married a fee of thirty dollars; but no fee shall be claimed or paid in the case of the marriage of a pauper.

Fee for celebration of marriage.
[1 of 1973
28 of 1986].

55. No marriage officer who solemnises any marriage after due publication of banns as aforesaid between persons, both or one of whom not being a widow or widower are or is at the time of the marriage under legal age, shall be answerable or responsible or liable to any pain, penalty or proceeding, for having solemnised the marriage without the consent of the parents or guardians or other persons, if any, whose consent is required by law, unless the parents or guardians, or other persons, or one of them, shall forbid the marriage and give notice thereof to the marriage officer before he has solemnised the same.

Case of marriage between minors after publication of banns

PART VI

REGISTRATION OF MARRIAGE

56. (1) The Registrar General shall control and direct the proper registration of all marriages under this Act. He shall as soon as possible after the coming into operation of this Act and thereafter whenever necessary furnish to every marriage officer a bound book to be called the "Marriage Register Book," which shall be in the Form K in the Schedule, and separate sheets for a duplicate original register, all of substantial paper according to the forms provided for the registration of marriages by this Act.

Safety of marriage register books and forms.

Form K.

(2) Every marriage officer shall safely keep and preserve in his district every such marriage register book furnished to him, and such book or books shall be open to the inspection of the Registrar General at all times.

(3) The cost of providing such books and separate sheets shall be defrayed from public funds.

57. Immediately after the solemnisation or celebration of every marriage, an entry thereof shall be made in the Marriage Register Book by the marriage officer; and in every such entry in every such register

Keeping of register of marriages.

it shall be expressed that the marriage was had by banns or Minister's licence or Registrar General's or Registrar's certificate, and if both or either of the parties married by licence or certificate is under age and not a widow or widower, that it was had with the consent of the parents or guardians or other persons or person having lawful authority to withhold consent to the marriage, or after the order of the Judge as aforesaid, and shall be signed by the marriage officer with his proper addition, and by the parties married, and shall be attested by such two witnesses; and every such entry shall be in the form or to the effect set out in Form K in the Schedule.

Form K.

Duplicate
register.

58. (1) Of every such entry at the same time before the parties depart shall then and there be made on a separate sheet of paper as supplied from time to time by the Registrar General a duplicate original register in which the same matter shall be entered and signed and attested by the same parties in the form or to the effect set out in Form L in the Schedule.

Form L.

(2) All such duplicate original registers shall be transmitted to the Registrar General by the marriage officer, at the end of every three months, viz., within the first ten days of January, April, July and October of each year, and all such duplicates shall be filed and safely preserved by the Registrar General in his office.

(3) The Registrar General shall make or cause to be made and kept in his office an alphabetical index of all duplicate original registers filed in his office, such index to be for periods of ten years each, commencing from 1st January 1910.

(4) Every original register, and also every copy thereof, certified under the hand of the marriage officer or Registrar General or Registrar who for the time being has the lawful custody of the original, to be a true copy, and every such duplicate original register, and also every copy thereof, certified, under the hand of the Registrar General or Registrar, to be a true copy, shall respectively be good evidence of the facts therein recorded, in pursuance of this Act in all courts and proceedings whatsoever in which it may be necessary to give evidence of the marriage to which the same relates.

Right to search
register books
and have copies
of entries.

59. It shall be lawful for all persons at all reasonable times in the day (except Sundays) on application to the marriage officer or Registrar General to search the original marriage register book and also the file of duplicate original registers, in the presence of the person for the time

being having the care of the same respectively, and to have a true copy of any entry therein, certified under the hand of the marriage officer, or Registrar General, having the custody of the original or duplicate original register as aforesaid (as the case may be) which true copy such marriage officer, or Registrar General, is hereby required to make, examine, and certify under his hand to be a true copy in the form of the duplicate original register, except that the same shall be headed "Certified Copy of Original (or Duplicate Original) Marriage Register Book" (as the case may be), and shall be dated on the day, month, and year when the same is delivered.

60. The following fees shall be demandable and payable before the performance of the duty to which the same respectively relate, that is to say –

For every general search not directed to any particular entry	\$3.00	Fees payable for search and for copies of entries. [1 of 1973 26 of 1982 28 of 1986].
For every search –		
for a particular entry	2.00	
for two or more particular entries at the same time		
and for each entry, additional	1.00	
For every certified copy of each entry as aforesaid	3.00	

PART VII

CLINICAL MARRIAGES

61. (1) It shall be lawful for any minister of the Christian religion being a duly appointed marriage officer under the provisions of this Act, to solemnise a marriage without any licence or certificate of notice of banns in the following special case, that is to say, where the marriage is between two persons one of whom he believes from the certificate of a medical practitioner, if any such practitioner has been in attendance on such person during his or her last illness (as the case may be) to be in *articulo mortis*; or if no medical practitioner has been in attendance as above, and for reasons shown to the satisfaction of the marriage officer that it is impossible to procure a medical certificate within the probable time of death of one of the parties concerned, and the marriage officer believes from his own observation that he or she (as the case may be) is in *articulo mortis*; and in every such case, before the solemnisation of any such marriage the person so believed to be in *articulo mortis* shall first declare in the presence of two credible witnesses that he or she (as the case may be) believes that he or she (as the case may be) is

Marriages in
articulo mortis.

at the point of death; and no marriage in *articulo mortis* shall be solemnised unless both parties to the marriage are able to and actually and previously signify, in the presence of two or more credible witnesses, besides the marriage officer, their consent to the marriage.

(2) No such marriage shall be solemnised where either of the parties is under eighteen years of age, not being a widower or widow, without the verbal or written consent of the person whose consent is by law required. If such person is present the consent may be given orally, and such person shall sign the register of the marriage in token of assent thereto. If such person is absent the consent shall be in writing and shall be attached to the duplicate original register.

(3) If the person whose consent is by law required to be given is absent, inaccessible, *non compos mentis*, or being present withholds his, her or their consent to the marriage, the marriage officer may, if he is of opinion that the consent of such person is unreasonably withheld and that the condition of the dying person does not permit of the delay involved in a petition to the High Court, proceed to solemnise the marriage; but the parent or guardian may, by petition to the High Court, within a reasonable time, in any case not exceeding three months, from the date of the marriage, have the marriage made void of effect on proof that the marriage was one to which the Court would not have consented had the matter come before it in the first instance.

(4) A marriage solemnised under this Part of the Act shall be specially registered and the certificate of the medical practitioner, or of the marriage officer who performed the ceremony, as the case may be, that in his opinion the sick person is at the point of death, shall be attached to the duplicate original register, and forwarded to the Registrar General.

Forms M and N. (5) The register and duplicate original register shall contain the particulars and be in the form or to the effect set out in Forms M and N respectively in the Schedule. In all other respects the provisions of this Act relating to registration of marriage and the keeping of registers of marriage shall apply: Provided nevertheless that the duplicate original marriage register in each case of a marriage in *articulo mortis* shall be forwarded by the marriage officer to the Registrar General by the first opportunity and not later in any case than seven days after the solemnisation of the marriage. On receipt of the duplicate original register the Registrar General shall for a space of three weeks cause a true and exact copy thereof to be suspended or affixed in some conspicuous and accessible place outside his office.

(6) No marriage solemnised under the provisions of this section shall be valid unless the foregoing conditions are observed.

(7) No marriage solemnised under the provisions of this section shall operate as a revocation of any will.

(8) The certificate to be given by a medical practitioner or by a marriage officer for the purposes of this section, shall be in the form prescribed in Form O in the Schedule. The fee payable to any Government medical officer for any such certificate shall be ten dollars if a special visit is not required before it can be given. If a special visit is required, a fee of twenty dollars; but no fee shall be claimed and paid in the case of a pauper. Form O.

PART VIII OFFENCES, ETC.

62. Any person who knowingly and wilfully –

Unduly solemnising marriage.

- (a) solemnises or celebrates marriage at any other time than between the hours fixed by section 52(a), save in the cases mentioned in section 7(2) and Part VII of this Act; or
- (b) solemnises or celebrates marriage, save in the cases mentioned in section 7(2) and Part VII of this Act, without due publication of banns, or licence of marriage from the Minister, or certificate from the Registrar General or Registrar first had and obtained; or
- (c) solemnises or celebrates any marriage, save in the cases mentioned in section 7(2) and Part VII of this Act, more than three months after the last publication of banns, or the issue of a licence by the Minister, or the entry of a notice of such marriage by the Registrar General or Registrar; or
- (d) falsely pretending to be a marriage officer solemnises or celebrates marriage,

is guilty of an offence and liable on conviction thereof to imprisonment for two years; and all prosecutions for any such offence shall be commenced within three years after the offence committed.

63. Any person who knowingly and wilfully makes any false declaration (statutory or other) or signs any petition, notice, statement Making false declaration, etc.

or certificate required by this Act, which is in any material respect false for the purpose of procuring any marriage, shall be deemed guilty of wilful and corrupt perjury and shall be liable to be prosecuted and punished accordingly.

Celebration by Registrar of a void marriage.

64. Any marriage officer, being the Registrar General or Registrar, who knowingly and wilfully celebrates or permits to be celebrated in his office any marriage in this Act declared to be null and void is guilty of an offence and is liable on conviction thereof to imprisonment for two years.

Liability of persons lodging an objection on frivolous grounds.

65. (1) Any person who enters an objection at the Government Office, Roseau, or at the office of the Registrar General or Registrar against the grant of any licence or issue of any certificate, on grounds which the Minister or a Judge declares to be frivolous as well as being such as ought not to obstruct the grant of the licence or certificate, shall be liable for the costs of the proceedings, and for damages which may be recovered by plaint or action by the party against whose marriage the objection has been lodged.

(2) For the purpose of enabling any person to recover costs and damages in any action, as provided by this section, from any person who has lodged an objection on frivolous grounds, a copy of the declaration of the Minister purporting to be signed by him or a copy of the judgment of the Judge shall be evidence that the Minister or Judge has declared the objection to have been lodged on grounds that are frivolous as well as being such as ought not to obstruct the grant of the licence or issue of the certificate, as the case may be.

Injury, etc., of marriage register.

66. Any person who knowingly and unlawfully falsifies, destroys, injures, removes or corrects, any public register of marriages with intent to defeat, or obstruct, or prevent the course of justice, or to defraud or injure any person is liable to imprisonment for three years.

Injury, etc., of a certificate.

67. Any marriage officer who knowingly and unlawfully falsifies, destroys, injures, or conceals any notice or certificate which is in his possession, custody or control, or to which he has access by virtue of his office, is liable to imprisonment for two years.

Penalty for non-compliance with provisions of Act.

68. Any marriage officer who knowingly and wilfully makes default in strictly complying with the provisions of this Act as regards the safe and proper custody of any book or form supplied to him by the

Registrar General under the provisions of this Act, or who fails to transmit to the Registrar General within the time specified the several registers or documents herein required to be transmitted, or who obstructs the Registrar General in the execution of his duty under this Act, is liable on summary conviction to a fine of one thousand dollars.

PART IX MISCELLANEOUS

69. After the solemnisation or celebration of any marriage under this Act, it shall not be necessary, in support of the marriage, or in any action, suit, or proceeding where the same may come into question, to give any proof of the consent of any person whose consent thereunto is by law required, or the actual dwelling of the parties married, or of either of them, before the marriage in any specified district, for any prescribed period, or that the banns were published, or notice of intended marriage given in the place wherein or by or to the person by or to whom the banns ought to have been published, or the notice given or that the marriage was solemnised or celebrated, in the place and by a person, where and by whom the same ought to have been solemnised or celebrated; but nothing herein contained shall prevent any evidence being given that the marriage is null and void under any provision of this Act expressly declaring the marriages to be null and void, but the burden of proof shall in all such cases lie on the party alleging any such marriage to be null and void.

Dispensation with proof of certain preliminary matters after marriage.

70. In no case whatsoever shall any suit or proceeding be had in any court or before any jurisdiction whatsoever, to compel the celebration of any marriage, by reason of any promise or marriage contract entered into, or by reason of seduction or of any cause whatsoever which shall arise after the coming into operation of this Act, any law or usage to the contrary notwithstanding; but nothing herein contained shall prevent any person aggrieved from suing for or recovering damages in any court, or by any proceeding wherein and whereby damages may be lawfully recovered for breach of promise of marriage, or for seduction, or other cause as aforesaid.

Prohibiting of proceedings to compel marriage.

71. (1) If any persons, save in the cases mentioned in Part VII of this Act –

Invalidation of certain marriages.

(a) knowingly and wilfully intermarry in any other place

than a building wherein marriages may be lawfully celebrated; or

- (b) knowingly and wilfully intermarry without due publication of banns, or licence from the Minister or a certificate from the Registrar General or Registrar first had and obtained;

the marriage of such persons shall be null and void to all intents and purposes whatsoever.

(2) If any persons knowingly and wilfully consent to, or acquiesce in the solemnisation or celebration of their marriage by any person not being a marriage officer, the marriage of such persons shall be null and void to all intents and purposes whatsoever.

Securing of property when necessary consent to marriage not obtained.

72. (1) Where either of the parties to a marriage is under eighteen years of age, not being a widower or a widow, and is married under this Act without the consent of the person whose consent is by law required, no community of property between the parties for the benefit or to the advantage of the party marrying such minor shall take place, nor shall any property be acquired from such minor by the other party to the marriage by last will, gift, transfer, or in any other way whatsoever, nor shall any stipulation made by such party by any ante-nuptial contract for any benefit from the property of such minor be valid or of any effect.

(2) It shall be lawful for the parent or guardian of the minor whose consent has not been given to the marriage to take proceedings in the High Court by action for securing such property; and the High Court shall have power in such action to order and direct that all the property of the minor shall be secured under the direction of the Court for the benefit of the minor or of the issue of the marriage, or of both in such manner as the Court shall think fit, for the purpose of preventing the offending party from deriving any interest, or pecuniary benefit from the marriage.

Saving clause as to fees.

73. Nothing in this Act shall affect the right of any minister of religion to receive for any duty performed by him under this Act such fees as have heretofore been customarily paid to ministers of the same denomination for the performance of such duty.

Payment of fees into Treasury.

74. All fees received under this Act by the Registrar General or a Registrar shall be paid into the Treasury.

75. Every marriage which has before the coming into operation of this Act been solemnised in the State by a minister of the Christian religion between any two persons whether of the age of eighteen years or not, and with the full religious rites of the denomination to which the persons or either of them belong or belongs and duly registered by the officiating minister in the accustomed manner at the time of solemnisation, shall in the State be deemed and is hereby declared to have been and to be valid and of full force and effect.

Marriages prior to coming into operation of Act declared to be valid.

SCHEDULE

Section 14.

FORM A

DOMINICA.

THE MARRIAGE ACT CH. 35:01

REGISTER OF MARRIAGE OFFICERS

No	Name	Denomination	Date of appointment	Postal Address		Remarks
				Originally given	At present time	

Section 17.

FORM B

DOMINICA.

THE MARRIAGE ACT, CH.35:01

MARRIAGE NOTICE BOOK

Name and Surname.	Condition, i.e. widower, bachelor, widow or spinister.	Rank, profession or occupation.	Age	Dwelling place. Length of residence.	Marriage District in which parties respectively dwell.	Date of notice accepted and entered by Marriage Officer in Marriage Notice Book.
Between						
and						
				<i>Signature of Marriage Officer.</i>		
Between						
and						
				<i>Signature of Marriage Officer.</i>		

FORM C

Sections 17 and
49.

DOMINICA

THE MARRIAGE ACT, CH. 35:01

REGISTRAR'S CERTIFICATE

I, Registrar of District* Marriage Officer in and for the Common-
wealth of Dominica do hereby certify that on the day of the fol-
lowing notice was duly entered in the marriage notice book of this district.

Name and surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupation.	Age.	Dwelling.	Length of residence.	Marriage district in which parties respectively dwell.
Between						
and						

The issue of this certificate has not been objected to by any person *(or as the case may be)*
(has been objected to but such objection has been overruled).

This certificate will be void unless the marriage is solemnised or celebrated within three
calendar months after the date of the entry of notice, namely, on or before the day of
19.....

(Signed)

Registrar,

Marriage Officer.

*E, F, or G, as the case may be.

Section 32.

FORM D

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

CERTIFICATE OF PUBLICATION OF
BANNS OF MARRIAGE

I hereby certify that the banns of marriage between A. B. *bachelor* of the parish
of _____ in the district of _____
and C. D. *widow* of the parish of _____ in the district of _____
, were duly published, in the Church of _____ in
the parish of _____ on three Sundays, viz., on *December*
5th, 12th, 19th, 1909, and no objection was declared.

This certificate will be void unless the marriage between the parties herein
named be solemnised or celebrated within three calendar months from the last
day of publication of banns as hereinbefore stated.

(Signed).....
Marriage Officer.

20th December, 1909.

Section 33(2).

FORM E

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

FORM OF WORDS TO BE USED IN THE
PUBLICATION OF BANNS

I publish the banns of marriage between A. B. of (*here state parish, district, or*
place), *bachelor*, and C. D. of (*here state parish, district, or place*), *widow*.

If any of you know cause or just impediment why these two persons should not
be joined together in Holy Matrimony you are to declare it.

This is the first (*or second or third, as the case may be*) time of asking.

FORM F

Section 38.

DOMINICA.

THE MARRIAGE ACT, CH.35:01

REGISTER BOOK OF BANNS

Banns of marriage published in				Parish Church.	District.
Names and Surnames.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profes- sion or occupation.	Age.	Dwelling place and length of residence.	Marriage district in which parties respectively dwell.
Between and					
1st Publication on Sundayby					
2nd Publication on Sundayby					
3rd Publication on Sunday by					
Between and					
1st Publication on Sundayby					
2nd Publication on Sundayby					
3rd Publication on Sunday by					
Between and					
1st Publication on Sundayby					
2nd Publication on Sundayby					
3rd Publication on Sunday by					
Between and					
1st Publication on Sundayby					
2nd Publication on Sundayby					
3rd Publication on Sunday by					

Section 42.

FORM G

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

To the Minister.

The humble petition of _____ bachelor/widower
residing at _____
and _____ spinster/widow
residing at _____

Respectfully sheweth, that your first-named petitioner is of the age
of _____ years, and that your second-named petitioner is of the age
of _____ years.

That _____ has/have for the space of fifteen
days immediately preceding the date of this petition had his or her/their usual
place of abode within the State of Dominica.

That your petitioners are desirous of being married without publication of
banns or notice of marriage and know of no cause or impediment to prevent the
proposed marriage, and therefore pray for the grant to them of a special licence
whereby any marriage officer shall be authorised to solemnise or celebrate the
same.

That your petitioners desire the marriage to be solemnised/celebrated
at _____ by _____ a marriage officer.

And your petitioners as in duty bound will ever pray.

Signature

Date

DECLARATION*

I, do hereby solemnly declare that I know of no
lawful cause or impediment why I should not be married to
.....

Taken before me this _____ day of _____

Magistrate.

*To be made by each party.

CERTIFICATE

I, the undersigned, hereby certify that after due inquiry I am satisfied that the statements contained in this petition are true and correct, and that to the best of my knowledge and belief there is no impediment to the proposed marriage of with

This day of , 19

Signature
Magistrate or
Minister of Religion.

FORM H

Section 43.

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

By administering the Government of the State of
Dominica.

To all to whom these Presents shall come:

Be it known that

Bachelor/widower of age, born in _____ an inhabitant at _____
of this State, and _____

Spinster/widow of age, born in _____ an inhabitant at _____
 _____ of this State, having petitioned me for a licence to marry without
 publication of banns, or notice of marriage and they, the said _____

having made it appear that there does not exist any lawful cause or impediment to their marriage, licence is hereby granted to* marriage officer to solemnise/celebrate a marriage between the said

and without publication of banns or notice of marriage according to the provisions of the Marriage Act, provided no lawful impediment be known to the contrary.

This licence will be void unless the marriage between the parties herein named be solemnised or celebrated within three calendar months from the date hereof.

Given under my hand, at Government House, Roseau, Dominica,
this day of 19 .

*See Form A.

Section 46.

FORM I

DOMINICA.

THE MARRIAGE ACT, CH. 35:01.

NOTICE OF MARRIAGE

To the Registrar of District (E, F, or G, *as the case may be*) Marriage Officer in the State of Dominica.

I/We (*as the case may be*) the undersigned, hereby give you notice that a marriage is intended to be held within three calendar months from the date hereof, between [me/us and the other party herein named and described,] that is to say –

Name and surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupa-	Age.	Dwelling place	Length of residence.	Marriage district in which parties respectively dwell.
Between						
and						

And I/we hereby solemnly and sincerely declare that I/we know of no impediment of kindred or alliance or other lawful hindrance to the said marriage, and that I/we the above-named, have for the space of seven days immediately preceding the giving of this notice, had my/our usual place of abode and residence within the above-mentioned marriage district.

And I/we further solemnly and sincerely declare that of the parties herein named and described (neither is a minor under the age of eighteen years) (*or in lieu of the part within brackets*) ““
not being a widower (or widow) is (*or am*) a minor under the age of eighteen years, and that the consent of _____ whose consent to this marriage is required by law has been duly given and obtained thereto”).

And I/we make the foregoing declarations conscientiously believing the same to be true,

*If both parties are under age, the Form must be adapted so as to meet the case.

pursuant to the provisions of the Marriage Act, well knowing that every person who knowingly or wilfully makes any false declaration, or who signs any false notice for the purpose of procuring any marriage under the provisions of the said Act, shall suffer the penalties of perjury.

IN WITNESS whereof I/we have hereunto set and subscribed my/our hand this
day of _____, 19 ____.

(Signed)

Declared before me this _____ day of _____

(Signed)

FORM J

Section 48.

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

PUBLIC NOTICE OF INTENDED MARRIAGE

DISTRICT.

Notice has this day been received, and entered in the Marriage Notice Book at this office, of a marriage intended to be had between the following persons, that is to say –

Name and surname.	Condition, i.e. widower, bachelor, widow or spinster.	Rank, profession or occupation.	Place and length of residence.
Between			
and			

Any objections to a certificate being granted authorising the marriage between the above-named parties must be lodged with me in writing within twenty-one days from this date by the objector, who must appear personally and declare before me to the truth thereof.

Registrar and Marriage Officer

Date of notice

Sections 6, 56 and 57.

FORM K
THE MARRIAGE ACT, CH. 35:01
MARRIAGE REGISTER BOOK
ORIGINAL REGISTER

DOMINICA.

19 Marriages solemnised (or celebrated) at							in the marriage district of		in the Commonwealth of Dominica	
No.	Names and Surnames.	Ages.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.				
	Between									
	and									

Married this day of 19 , at in the marriage district aforesaid, * , by me

(Signed)

Marriage Officer.

This marriage was solemnised (or celebrated)

*"After Banns," "by Licence" or "After Publication," as the case may be.

between us

{
.....

In the presence of us

{
.....

Sections 6 and 58.

FORM L
THE MARRIAGE ACT, CH. 35:01
MARRIAGE REGISTER BOOK
DUPLICATE ORIGINAL REGISTER

DOMINICA.

19 Marriages solemnised (<i>or celebrated</i>) at in the marriage district of in the Commonwealth of Dominica						
No.	Names and Surnames.	Ages.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.
	Between					
	and					

Married this day of 19 , at in the marriage district aforesaid, * , by me
(Signed) Marriage Officer.

This marriage was solemnised (*or celebrated*)
*“After Banns,” “by
Licence” or “After
Publication,” *as the
case may be.*

between us { In the presence of us {

Examined with the original register by me and certified to be correct.

Marriage Officer.

FORM M
THE MARRIAGE ACT, CH. 35:01
MARRIAGE REGISTER BOOK
ORIGINAL REGISTER, MARRIAGE IN *ARTICULO MORTIS*

DOMINICA.

19 Marriages solemnised at in the marriage district of in the Commonwealth of Dominica							
No.	Names and Surnames.	Ages.	Condition.	Rank, Profession or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.	Whether married on certificate given by Medical Practitioner or by Marriage Officer.
	Between						
	and						

Married this day of 19 , at in the marriage district aforesaid, , by me
a Marriage Officer of the Commonwealth of Dominica.

This marriage was solemnised between us, { in the presence of us, who certify that both parties to the marriage previously signified in our presence their consent to the marriage, believing that he/she is at the point of death. { believing that he/she is at the point of death. {

*I consented to the marriage of
I hereby certify that immediately before the solemnisation of this marriage, the said
of the witnesses who have attested that he believed self to be at the point of death.

solemnly declared to me in the presence

Marriage Officer.

*Add if circumstances
require

This day of , 19 .

(Sections 61).

FORM N
THE MARRIAGE ACT, CH. 35:01
MARRIAGE REGISTER BOOK
Duplicate Original Register, Marriage in *Articulo Mortis*

DOMINICA.

19 Marriages solemnised at in the marriage district of in the Commonwealth of Dominica							
No.	Names and Surnames.	Ages.	Condition.	Rank, Profes- sion or Occupation.	Residence at the time of Marriage.	Father's Name and Surname.	Whether married on certificate given by Medical Practitioner or by Marriage Officer.
	Between						
	and						

Married this day of 19 , at in the marriage district aforesaid, , by me
a Marriage Officer of the Commonwealth of Dominica.

This marriage was solemnised
between us,
believing that he/she is at the
point of death.

{ in the presence of us, who certify that both parties
to the marriage previously signified in our presence
{ their consent to the marriage, believing that he/she
is at the point of death.

{
{

*I consented to the marriage of
I hereby certify that immediately before the solemnization of this marriage, the said
in the presence of the witnesses who have attested that he believed self to be at the point of death.

solemnly declared to me

Marriage Officer.

This day of , 19 .

Examined with the original register by me and certified to be correct.

Marriage Officer.

*Add if circum-
stances require.

LAWS OF DOMINICA

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Chap. 35:01

Marriage

Section 61.

FORM O

DOMINICA.

THE MARRIAGE ACT, CH. 35:01

CERTIFICATE BY MEDICAL PRACTITIONER

I,medical practitioner having been in
attendance on certify that in my opinion the said
..... is in *articulo mortis*.

Signature

Medical Practitioner.

Date

(or as the case may be)

Section 61.

FORM O

DOMINICA

THE MARRIAGE ACT, CH 35:01

CERTIFICATE BY MARRIAGE OFFICER

I, marriage officer hereby certify that
..... has declared to me in the presence of two witnesses that
he/she believes that he/she is at the point of death, that there is no medical
practitioner in attendance on the said, that for
reasons shown to my satisfaction it is impossible to obtain a medical certificate
within the probable time of death of the said
..... and that in my opinion formed from my own observation I
believe the said to be in *articulo mortis*.

Signature

Marriage Officer.

Date
