

CHAPTER 184 MARRIAGE ACT

• Act • Subsidiary Legislation •

ACT

Amended by

Act No. 4 of 1966

Act No. 7 of 1996

Act No. 14 of 2011

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CHAPTER 184

[MARRIAGE ACT

An Act relating to the solemnisation and registration of marriages.

[Amended by Act No. 4 of 1966, Act No. 7 of 1996, Act No. 14 of 2011.]

[1st January, 1903.]

PART I

Preliminary

1. Short title

This Act may be cited as the Marriage Act.

2. Interpretation

In this Act—

“General Register Office” means General Register Office for the keeping of registers of marriages solemnised in Grenada as appointed by this Act;

“Registrar-General”, “Registrar”, “Marriage Officer”, mean respectively Registrar-General of marriages, Registrar of marriages and Marriage Officer under this Act.

3. Non-compliance with the Act prevents a marriage from having any effect in law

(1) A marriage solemnised in Grenada otherwise than under the provisions of this Act shall have no legal effect.

(2) If both the parties to a marriage knowingly and wilfully acquiesce in the solemnisation of the marriage ceremony between them—

- (a) by or before a person not being a Marriage Officer; or
- (b) otherwise than in the presence of two witnesses besides the Marriage Officer solemnising or witnessing and registering the marriage,

the marriage shall be void.

(3) If either of the parties at the time of the solemnisation of the marriage ceremony between them is under the age of sixteen years, the marriage shall be void.

4. Effect of non-observance in other cases

Except as aforesaid, and except as provided in section 31 with respect to marriages under that section, no marriage otherwise lawful which has been actually solemnised shall be declared void on the ground that any of the conditions by this Act directed to be observed have not been duly observed; but nothing in this section shall alter the effect of section 51.

5. Marriage of persons within certain degrees of affinity valid

(1) Every marriage, otherwise lawful, which has heretofore been or shall hereafter be celebrated or contracted, in Grenada or elsewhere, between a man and any of the following persons, that is to say—

- (a) his or her deceased wife's sister;
- (b) his or her deceased brother's widow;
- (c) his or her deceased wife's brother's daughter;
- (d) his or her deceased wife's sister's daughter;
- (e) his or her father's wife's sister's daughter;
- (f) his or her mother's deceased brother's widow;
- (g) his or her deceased wife's father's sister;
- (h) his or her deceased wife's mother's sister;
- (i) his or her brother's deceased son's widow;
- (j) his or her sister's deceased son's widow,

shall, in Grenada, be deemed, and is hereby declared to have been and to be valid, and of full force and effect, any law or custom to the contrary notwithstanding:

Provided that the passing of this Act shall not—

- (i) render valid any such marriage in any case where either of the parties thereto shall, subsequently to such marriage, have lawfully intermarried with any other person, prior to this Act coming into operation, nor
- (ii) deprive or be held to have deprived any person of any property which such person may have lawfully inherited prior to this Act coming into operation.

(2) No clergyman (or minister of any religious denomination) shall be compelled to solemnise the marriage of any man with any of the persons, referred to in subsection (1)(a) to (j) or be liable to any suit, penalty or censure for refusing to solemnise any such marriage.

*Civil Officers for Marriage***6. Appointment of officers for the purpose of ensuring the registration of marriages and their legality**

(1) It shall be lawful for the Governor-General from time to time to appoint, and remove at pleasure, officers to be called Registrars of Marriages, and also Marriage Officers who shall be such ministers of religion and other persons as may be entitled to appointment under the provisions of this Act as Marriage Officers.

(2) Unless otherwise ordered by the Governor-General, magistrates shall in their respective districts and in the districts in which they are Additional Magistrates, be Registrars of Marriage. Other persons appointed to be registrars shall act in such district as the Governor-General may determine.

(3) Appointments, removals and orders authorised by the Governor-General, or made under this Act, shall be notified in the *Gazette* and shall take effect from the date of publication.

7. Governor-General may refuse to appoint minister to be a Marriage Officer

Ministers of religious denominations, whether acting for one congregation or having the local superintendence of several congregations, shall ordinarily be entitled, subject to the provisions of section 15, to be appointed Marriage Officers of the parish or parishes in which they are so acting, but the Governor-General may refuse to appoint any such minister if he or she thinks him or her unfit.

8. Registrar a Marriage Officer *ex officio*

Subject to the provisions of this Act, a Registrar shall be *ex officio* a Marriage Officer for his or her district and shall act as such in his or her office or at a place within his or her district where the parties wish to be married.

9. Safeguard for conscientious objections

No minister of religion who is a Marriage Officer shall be required to act as a Marriage Officer with respect to any marriage which is contrary to the rules of the religious denomination to which he or she belongs.

10. Registrars to give security

A Registrar (if not a Magistrate) shall before entering on the duties of his or her office give security for the due execution of his or her duties in such sum as the Governor-General may, from time to time, require.

11. Power enabling a Registrar to appoint a deputy

(1) A Registrar (if not a Magistrate) shall, subject to the approval of the Governor-General, appoint by writing under his or her hand a fit person to act as his or her deputy in case of his or her illness or absence.

(2) Such deputy shall hold his or her office during the pleasure of the Registrar by whom he or she is appointed, and shall be removable from his or her office by the Governor-General.

(3) Such deputy while so acting shall have all the powers and duties and be subject to all the penalties herein declared concerning registrars.

(4) A Registrar shall be civilly responsible for the acts and omissions of his or her deputy.

(5) In the event of the incapacity or absence of any such deputy the Registrar-General shall, subject to the approval of the Governor-General, appoint a fit person to act as Registrar until the Registrar resumes the duties of his or her office, or until a new appointment to the office of Registrar is duly made.

(6) In case a Registrar dies, or otherwise ceases to hold his or her office, the deputy shall act as Registrar in his or her place until the appointment of another Registrar is made and notified by the Governor-General.

12. Marriage Officers at liberty to resign

It shall be lawful for any Marriage Officer to resign his or her appointment as such. Every such resignation shall be notified in the *Gazette*, and shall take effect from the date of publication.

13. Marriage Officers cease to be qualified when ceasing to act for a congregation

Every Marriage Officer who owes his or her appointment to the fact of his or her being a minister of religion acting for a congregation, or having local superintendence of several congregations shall, if he or she ceases so to act or to have such superintendence, *ipso facto* vacate his or her appointment as Marriage Officer, and shall notify the Registrar-General that he or she has ceased to act or to have such superintendence as aforesaid:

Provided always that nothing in this section shall be regarded as applying to a Marriage Officer intending to be temporarily absent as mentioned in section 14 and who has duly notified the Registrar-General of his or her intention to temporarily cease to act for or have local superintendence over a congregation.

14. Except when only temporarily absent

(1) A Marriage Officer intending to temporarily cease to act for a congregation or to have local superintendence of any one or more congregations shall notify the Registrar-General of such intention, and shall make such arrangements for the custody of the marriage register books supplied to him or her as shall be satisfactory to the Registrar-General.

(2) A Marriage Officer ceasing to act for or to have superintendence over a congregation without giving such notification, or without making proper arrangements to the satisfaction of the Registrar-General for the safe custody of his or her marriage register books as aforesaid shall, *ipso facto*, vacate his or her appointment, and shall not ordinarily be entitled to re-appointment.

(3) (a) When a Marriage Officer shall desire to leave Grenada for a time, and shall make arrangements to leave the care of his or her place of worship and the conduct of the services therein to a catechist, lay reader, or other person not being a minister of religion, it shall be lawful for the Governor-General on the recommendation of the Marriage Officer desiring to leave, to appoint such person to act as a Marriage Officer during the absence of the Marriage Officer in question, or until some other minister of religion shall have been appointed in his or her stead.

(b) In such a case, the Marriage Officer first mentioned shall hand over the marriage register books supplied to him or her to the person appointed to act as a Marriage Officer during his or her absence, and the latter, on the return of the Marriage Officer first mentioned, or the arrival of some minister of religion to take his or her place, shall cease to be a Marriage Officer, and shall re-deliver the marriage register books, or other books supplied to him or her in lieu thereof, to the minister of religion for whom he or she has been acting, or his or her successor.

(4) A person appointed to act as a Marriage Officer under the provisions of this section shall, for the time during which he or she is appointed to act, have all the rights, powers, and be subject to all the obligations of a Marriage Officer.

15. Appointment of Marriage Officers

(1) Nothing in this Act shall be construed as compelling any minister of religion to be a Marriage Officer.

(2) A minister of religion who desires to act as a Marriage Officer shall supply the Registrar-General with the following information—

- (a) the name or other description of the place of public worship with regard to the congregation attending which he or she acts as minister of religion and with respect to which he or she desires to act as Marriage Officer;
- (b) the name or other description of every place of public worship over the congregation of which he or she has local superintendence and with respect to which he or she desires to act as Marriage Officer.

(3) Every magistrate and every Registrar shall keep affixed in a conspicuous place in his or her office a list of all Marriage Officers of the parish. The list shall state the name and dwelling place of each officer, and the name or other description of the place or places of public worship in or for which they respectively so act.

(4) No minister of religion who is not a Marriage Officer or expressly authorised by a Marriage Officer shall publish any banns of marriage.

(5) A Marriage Officer who is a minister of religion may act as such in any other parish than that for which he or she is appointed:

Provided that such Marriage Officer complies with all the rules and requirements with regard to the registration of any marriage so solemnised or witnessed by him or her.

(6) (a) If from any cause a minister of religion is not desirous of acting as Marriage Officer or is not desirous of acting as a Marriage Officer on the occasions referred to in the provisos to section 23 and with respect to the duties of registration subsequent to the solemnisation of matrimony, it shall be lawful for the Governor-General on application from the head of any religious denomination nominating any person for appointment as Marriage Officer (with limitations) for any congregation attending any place of public worship, to appoint such person to be Marriage Officer at all marriages solemnised at any such place.

Every such appointment shall be subject to bond being given or other suitable arrangements being made for the correct discharge by such person of the duties imposed upon him or her as a consequence of his or her appointment.

(b) Every person appointed as aforesaid shall have all the powers and shall be subject to all the duties conferred or imposed by this Act on Marriage Officers except such powers and duties as are incident to the publication of banns and the issuing of a certificate of the kind referred to in section 16:

Provided that nothing in this section shall be deemed to constitute any such person a Marriage Officer within the meaning of this Act.

(c) Any minister of religion who desires to be appointed a Marriage Officer subject to the exception hereinbefore mentioned may be appointed as a Marriage Officer for all purposes connected with the issue of a Marriage Officer's certificate such as is referred to in section 16 and all matters and duties and powers anterior or incidental to such issue. Every minister appointed with the limitations aforesaid shall for all purposes be deemed to be a Marriage Officer within the meaning of this Act with respect to the matters, duties and powers aforesaid.

(7) Every person appointed as Marriage Officer or as Marriage Officer subject to the limitations aforesaid, shall notify the Registrar-General of his or her address and of every change therein. If a Marriage Officer does not notify his or her address it shall be lawful for the Governor-General to cancel his or her appointment.

PART III

Preliminaries to Solemnisation and Prohibition of Marriage

16. Alternative procedure which may be followed as a preliminary to solemnisation

Marriage may be solemnised—

- (a) under the authority of Registrar's certificate or Registrar's certificates;
- (b) under the authority of Marriage Officer's certificate or Marriage Officer's certificates;
- (c) under the authority of licence from the Governor-General or other duly authorised person;
- (d) without any such authority or certificates in the cases specially provided for in section 31.

17. Procedure by Registrar's certificate

(1) In every case of persons residing in Grenada intending that a marriage shall be solemnised between them under the authority of a Registrar's certificate of notice, each of such persons shall on or about the same date give notice (making the declaration therein contained) of the intended marriage to the Registrar in whose district he or she has respectively resided for a period of not less than fifteen clear days before the giving of such notice, in the form as nearly as may be set forth in the First Schedule:

Provided that when both of such persons reside within the same parish a single notice shall suffice:

Provided also that where one of the persons intending marriage is not residing in Grenada a single notice by the other person shall suffice.

(2) On the receipt of a notice of an intended marriage the Registrar, being satisfied that the notice is conformable to the requirements of this Act, shall forthwith enter the particulars set forth in the notice and the date of such entry in a book to be called "the Marriage Notice Book", and shall on the same day put up, in a conspicuous and accessible place on the door or outer wall of his or her office, a public notice of the intended marriage in the form as nearly as may be set forth in the Second Schedule, and shall keep the same so put up for seven consecutive days thereafter. The Marriage Notice Book shall be open at all reasonable times to any person desiring to inspect it.

(3) The Registrar having complied with the requirements of this Act shall, on the expiration of seven clear days after the receipt of the notice of an intended marriage, in the event of no objection to the marriage being in force as hereinafter mentioned, grant upon request to the person who gave the notice, or to any person authorised by the person who gave the notice, a certificate of the due publication thereof, in this Act referred to as the Registrar's certificate, as nearly as may be in one of the forms set forth in the Third Schedule, and shall therein set forth whether any objection has been offered to such intended marriage.

(4) If separate notices are given in any case where under the provisions of this section a single notice shall suffice, then, for the purposes of the certificate, the date of entry of notice shall be the date of entry of the notice first given.

18. Procedure by Marriage Officer's certificate

(1) In every case of persons residing in Grenada intending that a marriage shall be solemnised between them under the authority of a Marriage Officer's certificate or certificates of banns, each of such persons shall on or about the same date give notice in writing (making the declaration therein contained) in the Form or as nearly as may be in the Form in the Fourth Schedule, to the minister (being a Marriage Officer) of the congregation to which he or she belongs or is considered to be attached, or if not belonging or not considered to be attached to any congregation then to any minister being a Marriage Officer of the parish in which he or she resides:

Provided that when both of such persons belong to the same congregation a single notice shall suffice:

Provided also that where one of the persons intending marriage is not residing in Grenada a single notice by the other person shall suffice.

(2) On receipt of a notice of an intended marriage as in subsection (1), the minister (being a Marriage Officer) being satisfied as to the compliance with the requirements aforesaid, and subject to the provisos aforesaid, shall within four days enter the particulars set forth in the said notice and also the date when such notice shall have been received by him or her and the date of such entry in a book to be kept by him or her entitled "the Marriage Banns Book" and shall also enter the said particulars and date on paper, and shall post the latter on a notice board to be kept affixed on the outside of the principal door of the place of worship in which he or she ministers (and in the event of his or her ministering in more than one place, preferably on the outside of that at which he or she may have published the banns); and thereafter when such notice shall have been kept affixed as aforesaid for a period extending over three Sundays, shall, subject to the provisions of this section, give the certificate of due publication of banns under subsection (5) hereinafter mentioned.

(3) On the receipt of a notice of an intended marriage the minister (being a Marriage Officer), being satisfied that the notice is conformable to the requirements of this Act, shall also (subject to his or her right of refusal under section 9) by himself or herself, or some other person by him or her duly authorised, publish the banns of marriage between the parties named therein conformably to the notice in the place of public worship in which he or she ministers.

(4) The publication shall be made in an audible manner sometime during public Divine service on a Sunday, or in the case of persons professing the Jewish religion on a Saturday, in the face of the congregation, and shall be in the words as nearly as may be in the Fifth Schedule, and shall be made for three Sundays or Saturdays as above provided preceding the solemnisation of the marriage, during the morning or evening service.

(5) The minister (being a Marriage Officer) having complied with the requirements of this Act shall, after the publication is complete, in the event of no objection to the marriage being in force as hereafter mentioned, grant upon request to the person who gave the notice, or to any person authorised by the person who gave the notice, a certificate of the due publication of banns, in this Act referred to as the Marriage Officer's certificate, as nearly as may be in one of the Forms set forth in the Sixth Schedule, and shall therein set forth whether any objection has been offered to such intended marriage.

(6) If separate notices are given in any case where under the provisions of this section a single notice shall suffice, then, for the purposes of the certificate, the date of entry of notice shall be the date of entry of the notice first given.

19. Procedure by licence

(1) In any case of persons residing in Grenada intending that a marriage shall be solemnised between them, the Governor-General may, on application by or on behalf of either of the parties, if he or she thinks fit, upon proof being made to his or her satisfaction that there is no impediment of kindred or alliance or other lawful hindrance to the intended marriage, and where consent is required that the consent of the persons authorised to give such consent has been obtained, grant a licence for such marriage, as nearly as may be in Form No. 1 in the Seventh Schedule.

(2) For the purposes of such proof, the Governor-General may prescribe any form of declaration that he or she thinks fit to be made before any persons that he or she may appoint, and declarations so prescribed shall be deemed to be declarations required by law for the purposes of a marriage.

(3) (a) Applications for marriage licences to and the issue of marriage licences by the Governor-General shall, unless and until otherwise provided by regulations made under this Act, be made through the office of the Prime Minister.

(b) The power to issue similar marriage licences may be exercised by such persons as may, from time to time, be nominated by the head of any religious denomination and approved of by the Governor-General:

Provided that no licence shall be granted by any such person unless the applicant for the licence shall first make a statutory declaration to the effect that there is no impediment as aforesaid and, where consent is required, that the consent of the persons authorised to give such consent has been obtained. Every licence granted by any such person shall be as nearly as may be in Form No. 2 in the Seventh Schedule.

20. Procedure when the consent of a parent or guardian is required

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

(2) Where a person under eighteen years of age not being a widower or widow intends to marry, the father, or if the father is dead the lawful guardian or guardians, or if there be no such guardian, the mother of such person shall have authority to consent to the marriage of such person, and such consent is hereby required unless there is no person authorised to give it resident in Grenada.

(3) If the parent or guardian whose consent is necessary is *non compos mentis*, or unreasonably withholds consent to the marriage of any person, either party to the intended marriage may refer the matter to a Judge of the High Court who shall decide upon the same in a summary way, and if the proposed marriage appears upon

examination to be proper the Judge shall certify the same, and his or her certificate shall be as good and effectual as if the necessary consent had been given.

(4) Where either of the parties to a marriage is under eighteen years of age, not being a widower or widow, and is married under this Act without the consent of the person having authority to consent, it shall be lawful for the High Court, on an information by the Attorney-General, to declare a forfeiture of all interest in any property acquired by such marriage by the other party thereto, and to secure the same for the benefit of the party so under eighteen years of age, and of the issue of the marriage.

21. Procedure to be followed if a marriage is open to objection

(1) Any person may notify his or her objection to an intended marriage by giving notice of objection to the Registrar or Marriage Officer publishing the notice of banns.

(2) A Registrar or Marriage Officer shall disregard all objections to an intended marriage not appearing on the face of the notice, unless—

- (a) they are stated prior to the issuing of the certificate of publication;
- (b) they are stated in writing by the person making the same;
- (c) the person making the same appears personally to lodge the same with the Registrar or Marriage Officer, and in his or her presence makes and subscribes a declaration as nearly as may be in the form set forth in the Eighth Schedule, which the Registrar or Marriage Officer shall indorse on the written statement of objections.

(3) With regard to objections timely and duly made as above provided, the following provisions shall apply—

- (a) where the objection does not set forth a legal impediment to a marriage between the parties intending to solemnise marriage, or a refusal of consent on the part of any person whose consent is required to such marriage, the Registrar or Marriage Officer shall suspend the issue of his or her certificate pending decision upon the objection, and shall consider the objection and make such inquiry thereabout as he or she sees fit, and himself or herself decide thereupon;
- (b) where the objection sets forth any legal impediment to a marriage between the parties, or any refusal of consent on the part of any person whose consent is required to such marriage, the Registrar or Marriage Officer shall refer the matter to a Judge of the High Court (who shall decide upon the same in as summary a way and as expeditiously as the circumstances of the case will permit), and shall suspend the issue of his or her certificate until he or she receives a certified copy of the Judge's decision to the effect that the parties are not in respect of the said objection disqualified from contracting such marriage, or where the objection is in the nature of a refusal of consent that such refusal is unreasonable and ought not to interfere with such marriage;
- (c) if it appears to the Judge that the objection, in case of an objection to a marriage, is frivolous and vexatious, he or she may condemn the party making it to pay, in addition to costs and all civil damages to which he or she may be liable, a fine not exceeding one thousand dollars, to be enforced in the same way as a judgement of the High Court.

*Solemnisation of Marriage***22. Certificates and licences do not operate after three months from the date of entry of notice**

Whenever a marriage does not take place within three months after notice of an intended marriage shall have been entered by the Registrar in the Marriage Notice Book, or by the minister in the Marriage Banns Book, or within three months after the date of a licence granted under section 19, the certificate or licence, as the case may be, shall be void, and no person shall proceed to solemnise the marriage until new notice has been given and certificate issued or a new licence has been granted:

Provided that in cases other than where a single notice in accordance with the provisions of section 17 or 18 has been given, it shall be lawful to solemnise the marriage if one of the two certificates remains in force.

23. Declarations must be made by the parties that there is no lawful impediment to their marriage in order that the latter may become binding in law

After the issue of a Registrar's certificate or Registrar's certificates, or a Marriage Officer's certificate or Marriage Officer's certificates, or a Registrar's certificate in the case of one of the parties, and of a Marriage Officer's certificate in the case of the other party or a licence granted under section 19, the marriage may be solemnised between the parties described in the certificate or licence according to such form and ceremony as the parties may see fit to adopt:

Provided that every such marriage shall be solemnised in the presence of a Marriage Officer and of two credible witnesses between the hours of 6.00 a.m. and 8.00 p.m. with open doors:

Provided also that the certificate or certificates or, if the marriage is by licence, the licence shall be first delivered to the Marriage Officer by or before whom the marriage is solemnised:

Provided also that in some part of the ceremony or immediately before or after the ceremony, and in the presence of such Marriage Officer and witnesses, each of the parties shall declare—

I do solemnly declare that I know not of any lawful impediment why I, *A.B.*, may not be joined in matrimony to *C.D.*,

and each of the parties shall say to the other—

I call upon these persons here present to witness that I, *A.B.*, do take (*or* have now taken) *C.D.*, to be my lawful wife (*or* husband):

Provided also that there be no lawful impediment to the marriage of such parties.

24. Marriage may be contracted before a Registrar

If the parties so desire they may, after certificate or licence duly granted, contract and solemnise marriage at the office or at the place within his or her district where the parties wish to be married and in the presence of a Registrar, and in the presence of two witnesses, with open doors, and between the hours of 8.00 a.m. and 6.00 p.m., making the declaration and using the form of words provided in section 23, but in such case no religious service shall be used.

25. Marriages contracted before a Registrar may be subsequently solemnised in a church

- (a) If the parties to a marriage contracted before the Registrar or a Marriage Officer desire that there shall be separately performed any religious service of marriage between them, they may present themselves to any acknowledged minister of religion, and such minister upon the production of the certificate of marriage of the parties before the Registrar or a Marriage Officer may, if he or she thinks fit, perform such religious service;
- (b) Nothing in the reading or celebration of such service shall supersede or invalidate any marriage previously contracted before the Marriage Officer, nor shall such ceremony be registered as a marriage.

26. Marriage Officers to obtain the particulars required for registration

The Marriage Officer by or before whom a marriage is solemnised shall ask the parties to be married the particulars required to be registered touching the marriage.

PART V*Registration of Marriage***27. Registration of marriages in the Marriage Officer's marriage register books**

Immediately after the solemnisation of a marriage, the Marriage Officer before whom it is solemnised shall register it in duplicate, that is to say, firstly, in a book to be kept by him or her for that purpose called the marriage register, and secondly, on a separate form; such registration shall be in the form given in the Ninth Schedule and shall be signed by the parties married, by two witnesses and by the Marriage Officer.

28. Transmission of duplicate register to the general register

After such registration of a marriage as aforesaid, the Marriage Officer shall transmit the duplicate register to the Registrar-General and shall, without payment of any fee, deliver to one of the parties married a copy of the original register of the marriage, certified under his or her hand to be a true copy.

29. Registrar-General to keep a general register of all marriages

The duplicate register transmitted by the Marriage Officer to the Registrar-General shall be filed and safely preserved by him or her in the General Register Office.

30. Correction of omissions and material errors in registers

- (a) Where a marriage is solemnised under the provisions of this Act which without fault of the parties thereto has been omitted to be registered, or has been erroneously or imperfectly registered, or where the register of a marriage has been lost or destroyed, it shall be lawful for either of the parties, or in case of his or her death the issue or other lawful representative of such party, having first given notice of his or her intention by two publications in the *Gazette*, to apply to a Judge of the High Court in Chambers for an order to have such marriage correctly registered;

- (b) the Judge shall require notice of such application to be given to such persons as he or she thinks expedient;
- (c) if the Judge is satisfied after hearing such evidence as may be adduced that such marriage has been proved he or she shall make an order to that effect, and shall certify the same to the Registrar-General, who shall thereupon cause the marriage to be specially registered, in accordance with the terms of the order, in a book to be kept for the purpose in the General Register Office, with a note of such order and the date thereof.

31. Recognition of marriage *in articulo mortis* does not have any legal retrospective effect and does not annul an existing will

(1) It shall be lawful for a Marriage Officer to solemnise a marriage without any certificate of notice or banns in the following special case, that is to say, where the marriage is between two persons who have lived in unlawful connection and one of whom is *in articulo mortis*.

(2) No such marriage shall be solemnised unless both parties are able to signify their consent thereto in the presence of two witnesses.

(3) No such marriage shall be solemnised where either of the parties is under eighteen years of age not being a widower or widow, unless the person whose consent is required is present and gives his or her consent verbally.

(4) A marriage so solemnised shall be specially registered.

(5) The register shall contain the particulars and be in the appropriate Form indicated in the Tenth Schedule.

(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.

PART VI

Administration of Marriage and Registration Law: Rules

32. Departmental rules may be made by the Registrar-General

The Registrar-General may, from time to time, make, and when made revoke, add to and alter, rules for the carrying out of the registration provisions of this Act and for the direction of officers connected with registration in the performance of duties under this Act. Such rules shall be subject to the approval of the Governor-General who may allow, disallow, alter and add to, such rules or any of them.

33. General Register Office

The office of the Chief Medical Officer shall be the General Register Office for keeping a register of all marriages solemnised in Grenada.

34. Copies of certificates to be sealed

There shall be provided a seal or stamp of the General Register Office, with which all certified copies issuing out of the office as in this Act provided shall be sealed or stamped.

35. Forms, books, etc., to be supplied to proper officers

(1) There shall be supplied to the proper officers all books, registers, forms and other materials required for the execution of this Act.

(2) All books so supplied to be kept for entries shall be of durable materials, and shall have the pages and places for entry respectively numbered progressively.

(3) Forms of notice of marriage shall be supplied by the Registrar-General to the several Superintendent Registrars and Marriage Officers, who shall account for all forms so issued to them.

36. The Chief Medical Officer to be the Registrar-General

(1) The Chief Medical Officer shall be the Registrar-General of Marriages.

(2) The Chief Clerk in the Chief Medical Officer's office shall be the deputy Registrar-General of Marriages, and is hereby authorised to act for the Registrar-General in his or her absence.

(3) The Deputy Registrar-General shall have all the powers and duties of the Registrar-General and be subject to all the provisions of this Act.

37. Registrar-General entrusted with the supervision and control of marriage registration

The Registrar-General of Marriages shall superintend, control and direct all officers entrusted with registration duties under this Act and shall make all necessary provision for the execution of this Act.

38. Custody of registers

The Registrar-General shall have the custody and shall be responsible for the safe keeping—

- (a) of all registers of marriage and documents relating thereto that have come into the custody of a Registrar-General at and after the commencement of this Act, and of any ancient register of marriages which prior to such commencement may have been kept in any place of worship and which the owner may be willing to give up;
- (b) of all such other registers of marriage as are from time to time committed to his or her keeping or deposited in the General Register Office under the provisions of this Act.

39. Index of registers

The Registrar-General shall cause to be made and kept in the General Register Office an index of the General Marriage Register Book, and of all duplicate registers of marriage filed in the office.

40. Right to search register

The Registrar-General shall allow all persons, within hours to be prescribed by rules, to search the index and the General Marriage Register Book in the General Register Office.

41. Issue of copies of certificates

The Registrar-General shall give a copy certified under his or her hand, of any duplicate register on the file, and of an entry in the General Marriage Register Book in the General Register Office, to any person requiring it.

42. Marriage Officers to be under obligation to register marriages

Except in the case of the exceptions referred to in section 15(6), all Marriage Officers shall be registrars of marriage for the purpose of registering marriages solemnised or witnessed by them under this Act.

43. Registration work by Marriage Officers

Every Marriage Officer as a registrar of marriages—

- (a) shall keep safely the Marriage Register Book supplied to him or her for the purposes of this Act until every place of entry therein is filled, or until he or she ceases to be a Marriage Officer, and shall then return it (unless entrusted with it under a regulation passed under this Act) to the Registrar-General;
- (b) shall give a copy, certified under his or her hand, of any entry in every Marriage Register Book in his or her keeping to any person requiring it;
- (c) shall keep in the prescribed manner all other Marriage Register Books which may be entrusted to him or her under regulations passed under this Act.

44. Obligation of Registrars and of Marriage Officers in their capacity as Registrars

Every Registrar shall—

- (a) keep safely in his or her office every Marriage Register Book kept by himself or herself;
- (b) allow all persons, within reasonable hours to be prescribed by rules made under this Act, to search the Marriage Register Book in his or her keeping;
- (c) give a copy, certified under his or her hand, of any entry in the Marriage Register Book in his or her keeping, to any person requiring it;
- (d) make such periodical returns to the Registrar-General relating to the duties performed by him or her in relation to this Act as may be required by rules made under this Act;
- (e) perform such other duties in relation to the execution of this Act as may be assigned to him or her by rules made under this Act.

45. Provision for expenses

The expenses of carrying this Act into effect shall, where not otherwise provided for, be paid out of the Consolidated Fund.

*Miscellaneous***46. Evidence by means of certified copies and duplicates**

(1) Every original register in a marriage register, and every copy certified under the hand of the officer for the time being having the lawful custody of the original to be a true copy thereof and every duplicate register, and every record of registers kept in the General Register Office and every copy thereof or of any entry therein certified under the hand of the Registrar-General to be a true copy, shall be respectively good evidence of the facts which shall have been therein set forth in pursuance of the provisions of this Act in all proceedings and before all courts.

(2) All certified copies aforesaid and all declarations made pursuant to the provisions of this Act shall be exempt from stamp duty.

47. Penalty for non-compliance with the provisions of this Act

(1) Every officer under this Act who makes default in strictly complying with the provisions thereof, whether by omission or commission, shall be guilty of an offence and liable to a fine of one thousand dollars.

(2) This section shall extend to and include persons who have ceased to hold office under this Act in relation to any offence as aforesaid of which they may have been guilty while holding or on ceasing to hold such office.

(3) No person shall be prosecuted under this section without the written permission of the Attorney-General.

48. Injury, etc., of a register to be a crime

Whoever intentionally and unlawfully falsifies, destroys, injures, removes or conceals any public register of marriages, with intent to defeat, or obstruct or pervert the course of justice, or to defraud or injure any person, shall be guilty of an offence and liable to imprisonment for seven years.

49. Injury, etc., of a certificate to be a crime

Every Marriage Officer who unlawfully and intentionally destroys, injures, falsifies or conceals any notice or certificate which is in his or her possession, custody or control, or to which he or she has access by virtue of his or her office, shall be guilty of an offence and liable to imprisonment for two years.

50. Presumption in favour of marriages when solemnised under this Act

After the solemnisation of any marriage under or by virtue of this Act it shall not be necessary in support of the marriage, or in any action or proceeding where the same may come into question, to give any proof of the actual dwelling of the parties married, or of either of them, before the marriage, or that the banns were published, or that the marriage was solemnised in the place, and by a person, where and by whom the same ought to have been published and solemnised respectively.

51. Marriage impossible within the prohibited degrees

If any persons knowingly and wilfully inter-marry without authority (as detailed in section 16) or if the parties to any marriage are within the prohibited degrees of

consanguinity or affinity according to the Law of England (save as provided in section 5) the marriage shall be null and void.

52. Regulations to further the objects of this Act

It shall be lawful for the Governor-General to make regulations for carrying into effect the provisions of this Act and in particular for all or any of the following purposes—

- (a) to regulate and to restrict the issue of licences authorised to be issued under section 19 and to ensure the registration of marriages so licensed;
- (b) to fix and enforce the payment of fees to be paid for performing any act under this Act;
- (c) to regulate and prescribe any duty to be performed under this Act;
- (d) prescribing the conditions under which Marriage Officers may retain possession of Marriage Register Books which have been completely filled in;
- (e) prescribing the duties of Marriage Officers appointed on the nomination of heads of religious denominations;
- (f) specifying the occasions on which documents or statements are to be supported or vouched for by statutory declarations;
- (g) to regulate the rectification of errors in marriage registers:

Provided that the Schedules to this Act unless and until altered by such regulations and all directions therein contained and specified or thereto appended shall be of the same force and effect as if the same were enacted under this section.

53. Correction of clerical errors in registers

(1) No alteration in any register of marriages shall be made except as authorised by this Act.

(2) Any clerical error which may from time to time be discovered in any such register, may be corrected by the Registrar-General or any person authorised in that behalf by him or her, subject to regulations made under this Act.

(3) An error of fact or substance in any such register may be corrected by the Registrar-General upon production to him or her by either of the parties to the marriage, or in the case of his or her death, by the issue or other lawful representative of such party, of a statutory declaration setting forth the nature of the error and the true facts of the case.

54. Validation of acts

(1) Any act or thing done under the provisions of Chapter No. 133 of the 1934 Revised Edition of the Laws of Grenada during the period from the first day of June one thousand nine hundred and forty-five to the thirty-first day of December one thousand nine hundred and forty-nine which would have been validly and properly done under that Chapter if for the words “Colonial Secretary” there had been substituted the word “Administrator” shall be deemed to be and to have been validly and properly done.

(2) Any act or thing done under the provisions of Chapter No. 133 of the 1934 Revised Edition of the Laws of Grenada after the thirty-first day of December one thousand nine hundred and forty-nine which would have been validly and properly done under that Chapter if sections 33 and 36 of that Chapter had been as now provided shall be deemed to be and to have been validly and properly done.

*Marriage Act – Subsidiary Legislation***First Schedule****MARRIAGE ACT****Form 1**

(Applicable to the Case of Parties Residing in Different Parishes, or Giving Separate Notices)

Notice of Marriage

[Section 17.]

To the Registrar of the District of

I,, *(here insert the name of the person giving notice)* give you notice that a marriage is intended to be had between me and the other party herein named and described, that is to say—

<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and dwelling place</i>	<i>Length of residence</i>

And I give this notice with the assent of the other party herein named and described.

And I solemnly declare that I have for fifteen days, immediately preceding the date of this notice, had my usual place of abode within the above-mentioned District of and that I believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

(To form part of the declaration when the party is under twenty-one years of age and is not a widower or widow).

And I solemnly declare that I have the consent of all whose consent is necessary for my marriage, namely—

.....

(here state names and authority of all whose consent is necessary)

In witness whereof I have hereunto set and subscribed my hand this *(date)*

.....
Signature

Subscribed and declared by the above-named, in the presence of us, the undersigned householders in the above-mentioned district, who declare that we believe the statements contained in this notice to be true.

A.B. (Name and designation) witness

C.D. (Name and designation) witness

Marriage Act – Subsidiary Legislation

(Applicable to the Case of Parties Residing in the Same District and Giving a Single Notice).

Notice of Marriage

[Section 17.]

To the Registrar of the District of

We *(here insert the names of the persons giving notice)* give you notice that a marriage is intended to be had between us, the parties herein named and described, that is to say—

<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and dwelling place</i>	<i>Length of residence</i>

And we solemnly declare that we have for fifteen days immediately preceding the date of this notice had our usual place of abode and residence within the above-mentioned District of and that we believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

(To form part of the declaration when the parties are under twenty-one years of age and are not a widower or widow respectively).

And we solemnly declare that we each have the consent of all whose consent is necessary for our marriage, namely—

.....

(here state names and authority of all whose consent is necessary)

In Witness Whereof we have hereunto set and subscribed our hands this
(date)

Signatures

Subscribed and declared by the above-named, in the presence of us, the undersigned householders in the above-mentioned district, who declare that we believe the statements contained in this notice to be true.

A.B. (Name and designation) witness

C.D. (Name and designation) witness

Second Schedule**MARRIAGE ACT**

Registrar's Office, District of

Public Notice

Marriage Act – Subsidiary Legislation

[Section 17.]

Notice has this day been received at this Office of a marriage intended to be solemnised between the following persons, that is to say—

<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Place of residence</i>

All objections to a certificate being granted authorising the celebration of this marriage must be lodged with the Registrar in writing within seven days from this date by the objector, who must appear personally to declare to the truth thereof.

.....
M.N.

Registrar for the District of .

Date of Notice

Third Schedule**MARRIAGE ACT****Form 1**

(Applicable to the Case of Parties Residing in Different Districts)

Registrar's Certificate

[Section 17.]

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

I (M.N.) Registrar for the District of hereby certify

that on the (date), A.B.

(here give name, surname, condition, calling and place of residence of A.B.) duly gave notice to me of

of his (or her) intended marriage to C.D.

(here give name, surname, condition etc., of C.D.) and that all the requirements of the Marriage Act in respect of such notice so far as the said A.B. is concerned have been complied with, and no objections stated *(or written objections lodged with me, as the case may be)*.

Date of entry of notice

Date of certificate given

Witness my hand this (date)

Signed (Registrar for the District of)

Form 2

(Applicable to the Case of Parties Residing in the Same District).

Registrar's Certificate

Marriage Act – Subsidiary Legislation

[Section 17.]

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

I (M.N.) Registrar for the District of hereby certify that on the (date), A.B.
(here give name, surname, condition, calling and place of residence of A. B.) and on the (date) C.D.
(here give name, surname, condition, calling and place of residence of C.D.) duly gave notice to me of their intended marriage, and that all the requirements of the Marriage Act in respect of such notices have been complied with, and no objections stated *(or written objections lodged with me, as the case may be)*.

Date of entry of notice

Date of certificate given

Witness my hand this (date)

Signed (Registrar for the District of)

Fourth Schedule**MARRIAGE ACT****Form 1**

(Applicable to the Case of Parties Belonging to Different Congregations, or Giving Separate Notices)

Notice for Banns

[Section 18.]

To, minister of church *(or chapel)* in the parish of and a Marriage Officer of the said parish.

I *(here insert the name of the person giving notice)* being a member of the congregation of the said church *(or chapel)* give you notice that a marriage is intended between me and the other party herein named and described, and that I desire you to publish the banns of such marriage on three Sundays beginning with Sunday the day of next.

<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and dwelling place</i>

And I give this notice with the assent of the other party herein named and described.

And I solemnly declare that I believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

(To form part of the declaration when the party is under twenty-one years of age and is not a widower or widow).

And I solemnly declare that I have the consent of all whose consent is necessary for my marriage, namely—

.....

Marriage Act – Subsidiary Legislation

.....
(here state names and authority of all whose consent is necessary)

In Witness Whereof I have hereunto set and subscribed my hand this (date)

.....
Signature

Subscribed and declared by the above-named in the presence of us the undersigned, householders in the above-mentioned parish, who declare that we believe the statements contained in this notice to be true.

A.B. (Name and designation) witness

C.D. (Name and designation) witness

Form 2

(Applicable to the Case of Parties Belonging to the Same Congregation and Giving a Single Notice)

Notice for Banns

[Section 18.]

To , minister of church (or chapel) in the parish of and a Marriage Officer of the said parish.

We *(insert the names of the persons giving notice)*, being members of the congregation of the said church (or chapel), give you notice that a marriage is intended between us, the parties herein named and described, and that we desire you to publish the banns of such marriage in your church (or chapel) on three Sundays beginning with Sunday the day of next.

<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and dwelling place</i>

And we solemnly declare that we believe there is no impediment of kindred or alliance or other lawful hindrance to the said marriage.

(To form part of the declaration when the parties or one of the parties not being a widower or widow are or is under twenty-one years of age).

And we solemnly declare that we each have the consent of all whose consent is necessary for our marriage, namely—

.....

(here state names and authority of all whose consent is necessary)

In Witness Whereof we have hereunto set and subscribed our hands this (date)

.....
Signature

Marriage Act – Subsidiary Legislation

Subscribed and declared by the above-named, in the presence of us, the undersigned householders in the above-mentioned parish, who declare that we believe the statements contained in this notice to be true.

A.B. (Name and designation) witness

C.D. (Name and designation) witness

Fifth Schedule

MARRIAGE ACT

Form to be Used in the Publication of Banns

[Section 18.]

I publish the banns of marriage between A.B. of (*here state the parish as stated in the notice*) and C.D. of (*here state the parish as stated in the notice*).

If any of you know any 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.

Sixth Schedule

MARRIAGE ACT

Form 1

(Applicable to the Case of Parties Belonging to Different Congregations)

Marriage Officer's Certificate

[Section 18.]

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

I,, minister of church (*or chapel*) in the parish of and a Marriage Officer for the said parish, hereby certify that on the (*date*) A.B. (*here give name, surname, condition, calling and place of residence of A.B.*) duly gave notice to me of his (*or her*) desire to have the banns of his (*or her*) intended marriage with C.D. (*here give name, surname, condition, calling and place of residence of C.D.*) published in my said church (*or chapel*), and that all the requirements of the Act in respect of such notice and publication, so far as the said A.B. is concerned, have been complied with, and no objections stated (*or written objections lodged with me, as the case may be*).

Date of entry of notice

Date of certificate given

Witness my hand this (*date*)

Marriage Act – Subsidiary Legislation

.....
Signed P.Q.

A minister of church (or chapel) in the parish of
and a Marriage Officer of the said parish.

Form 2

(Applicable to the Case of Parties Belonging to the Same Congregations)

Marriage Officer's Certificate

[Section 18.]

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

I,, minister of church (or chapel) in the parish of and a Marriage Officer for the said parish, hereby certify that on the (date) A.B. (here give name, surname, condition, calling and place of residence of A.B.) and on the (date) C.D.) (here give name, surname, condition, calling and place of residence of C.D.) duly gave notice to me of their desire to have the banns of a marriage intended between them published in said church (or chapel), and that all the requirements of the Act in respect of such notices and publication have been complied with, and no objections stated (or written objections lodged with me, as the case may be).

Date of entry of notice

Date of certificate given

Witness my hand this (date)

.....
Signed

A minister of church (or chapel) in the parish of
and a Marriage Officer of the said parish.

Seventh Schedule**MARRIAGE ACT**

Form 1

Governor-General's Licence

[Section 19.]

This Licence remains in force for three months only from its date (section 22 of the Marriage Act).

To any Marriage Officer of Grenada

This is to license and permit you to solemnise a marriage between A.B.
(here give name, surname, condition, calling and place of residence of A.B.) and C.D.
..... (here give name, surname, condition calling and place

Marriage Act – Subsidiary Legislation

of residence of C.D.) according to the provisions of the Marriage Act, you knowing no lawful impediment to the contrary.

Dated the (date)

By order of the Governor-General.

.....
Signed

This Licence will be void if the marriage is not solemnised within three months from the date hereof.

Form 2

Governor-General's Licence

[Section 19.]

This Licence remains in force for three months only from its date (*section 22 of the Marriage Act*).

To any Marriage Officer of Grenada

Whereas I, the undersigned, having been authorised, as appears in *Gazette* dated
....., to issue special licences under section 19 of the Marriage Act,
this licence permits you to solemnise a marriage between A.B.
(*here give name, surname, condition, calling and place of residence of A.B.*) and C.D.
..... (*here give name, surname, condition, calling and place of residence of C.D.*) according to the provisions of the Marriage Act, you knowing no lawful cause or impediment to the contrary.

Given under my hand at this (date)

.....
Signed

This Licence will be void if the marriage is not solemnised within three months from the date hereof.

Eighth Schedule

MARRIAGE ACT

Notice of Objection to Intended Marriage

[Section 21.]

I hereby solemnly declare that the facts as stated by me in the written statement of objections to the marriage intended between A.B. and C.D. on which this declaration is indorsed are true to the best of my knowledge and belief.

.....
Signed

P.Q. Objector

I certify that this declaration was made before me and subscribed in my presence this

..... (date) at

.....

Marriage Act – Subsidiary Legislation

Signed

M.N.

..... Registrar (or minister of church
(or chapel) and a Marriage Officer as the case may be) of the parish of

Ninth Schedule**MARRIAGE ACT***(1)—Marriage Register*

[Section 27.]

<i>No.</i>	<i>When married</i>	<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and residence at the time of marriage</i>	<i>Father's name and surname</i>

Married at by (or before) me a Marriage
Officer of the parish of

} This marriage was celebrated In the presence of us
between us

this (date)

(2)—Marriage (Duplicate) Register

[Section 27.]

<i>No.</i>	<i>When married</i>	<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and residence at the time of marriage</i>	<i>Father's name and surname</i>

Married at by (or before) me a Marriage
Officer of the parish of

} This marriage was celebrated In the presence of us
between us

this (date)

*Marriage Act – Subsidiary Legislation***Tenth Schedule****MARRIAGE ACT***(1)—Marriage Register (Marriage in Articulo Mortis)*

[Section 31.]

<i>No.</i>	<i>When married</i>	<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and residence at the time of marriage</i>	<i>Father's name and surname</i>

Married at by (or before) me a Marriage

Officer of the parish of

} This marriage was solemnised between In the presence of us
 } us

I hereby certify that immediately before the solemnisation of this marriage the said
 solemnly declared to me, in the presence of the witnesses who have above attested this marriage,
 that he (or she) believed himself (or herself) to be at the point of death.

..... Marriage Officer of the parish of
 this (date).

(2)—Marriage (Duplicate) Register (Marriage in Articulo Mortis)

[Section 31.]

<i>No.</i>	<i>When married</i>	<i>Name and surname</i>	<i>Condition</i>	<i>Calling</i>	<i>Age</i>	<i>Parish and residence at the time of marriage</i>	<i>Father's name and surname</i>

Married at by (or before) me a Marriage

Officer of the parish of

} This marriage was solemnised between In the presence of us
 } us

I hereby certify that immediately before the solemnisation of this marriage the said
 solemnly declared to me, in the presence of the witnesses who have above attested this marriage,
 that he (or she) believed himself (or herself) to be at the point of death.

..... Marriage Officer of the parish of
 this (date)

CHAPTER 184
MARRIAGE ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

1. Marriage (Fees) Regulations (*Repealed*)
 2. Marriage (Special Licences) Regulations
 3. Marriage (Fees) Regulations
-

Marriage (Fees) Regulations

Repealed by

SRO 17 of 2004

Amended by

SRO 23 of 1960

SRO 12 of 1964

Marriage (Special Licences) Regulations

ARRANGEMENT OF REGULATIONS

1. Citation.
 2. Special licence.
 3. Application.
 4. Declaration.
 5. Supporting certificate.
 6. Powers of Governor-General.
-

MARRIAGE (SPECIAL LICENCES) REGULATIONS

[Section 52. Amended by SRO 23 of 1960, SRO 12 of 1964.]

1. Citation

These Regulations may be cited as the Marriage (Special Licences) Regulations.

2. Special licence

A special licence will only be granted by the Governor-General for the marriage of persons who have both been resident within the State for a period of three days at least before the application for the licence.

3. Application

The application shall be made in writing addressed to the Governor-General and signed by one of the parties to the intended marriage and shall state the full name and address, the age, occupation and condition of both of the parties to the intended marriage, and if either of the parties shall be under the age of twenty-one years and is not a widower or widow, the name and address of the parent or guardian of such party, whose consent is necessary under section 20 of the Act, and the fact that the consent of such parent or guardian has been obtained.

4. Declaration

There shall be attached to the application a solemn declaration made by the applicant before the Registrar-General verifying the fact stated in the application and stating that both parties to the intended marriage have been resident within the State for at least three days prior to the date of the application, and that the applicant knows no just cause or impediment why the intended marriage should not be solemnised.

5. Supporting certificate

There shall likewise be attached to the application a certificate signed by a minister of religion, justice of the peace or other respectable person approved by the Governor-General, stating that to the best of the knowledge and belief of the person certifying the facts stated in the application and declaration are true and that he or she knows of no legal impediment to the proposed marriage.

6. Powers of Governor-General

A special licence will not be issued unless the Governor-General is satisfied that the facts stated in the application and declaration are true, and the Governor-General may require a further declaration of the facts to be made by some minister of religion, justice of the peace, or other respectable person approved by him or her.

Marriage (Fees) Regulations

SRO 17 of 2004

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Fees payable.
3. Repeal.

MARRIAGE (FEES) REGULATIONS

[SRO 17 of 2004.]

[1st October, 2004.]

1. Citation

These Regulations may be cited as the Marriage (Fees) Regulations.

2. Fees payable

The following fees shall be payable—

(a) To Marriage Officers—	
For receiving a Notice of Banns	\$5.00
For receiving an objection, payable by the Person making the objection	\$10.00
For witnessing or solemnising a marriage payable by one of the parties to the marriage where—	
(i) at least one party is a citizen	\$25.00
(ii) both parties are non-citizens	\$50.00
For every certified copy of an entry in a Marriage register	\$5.00
(b) To the Registrar of Marriages—	
For receiving a Notice of Marriage	\$5.00
For receiving an objection, payable by the person making the objection	\$10.00
For witnessing a marriage solemnised in his or her presence under section 24 payable by one of the parties to the marriage where—	
(i) at least one party is a citizen	\$25.00
(ii) both parties are non-citizens	\$50.00
For every search in the marriage registry	\$5.00
(c) To the Registrar-General—	
For general search in the general marriage register	\$10.00
For search for a particular entry	\$5.00
For every certified copy of an entry	\$5.00
(d) To the Minister—	
For issue of a marriage licence by the Governor-General, where—	
(i) at least one party is a citizen	\$50.00
(ii) both parties are non-citizens	\$100.00

3. Repeal

The Marriage (Fees) Regulations, Chapter 184, is hereby repealed.