

LAWS OF SAINT VINCENT AND THE GRENADINES

VOLUME 7

IN FORCE ON
THE 1ST JANUARY 2009

REVISED EDITION

Prepared under the Authority of the Law Revision Act, 2009

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LAWS OF SAINT VINCENT AND THE GRENADINES
REVISED EDITION

MARRIAGE ACT

CHAPTER 236

Chapter No.
151 of 1926

Amended by
Act No. 16 of 1927
Act No. 13 of 1944
Act No. 22 of 1947
The Court Order, 1967
Act No. 3 of 1969
Act No. 3 of 1978
The Constitution
SRO 38 of 1980
Act No. 12 of 1984
Act No. 31 of 1984
Act No. 13 of 1987
Act No. 20 of 1987
Act No. 21 of 1988
Act No. 35 of 2004
Act No. 30 of 2007
and incorporating
Act No. 7 of 1966

Printed and published with the authority of the
Government of Saint Vincent and the Grenadines



CHAPTER 236

MARRIAGE ACT

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CHAPTER 236

MARRIAGE ACT

An Act to consolidate and amend the law relating to marriage.

[Chapter No. 151 of 1926 amended by Act No. 16 of 1927, Act No. 13 of 1944, Act No. 22 of 1947, The Court Order, 1967, Act No. 3 of 1969, Act No. 3 of 1978, The Constitution, SRO 38 of 1980, Act No. 12 of 1984, Act No. 31 of 1984, Act No. 13 of 1987, Act No. 20 of 1987, Act No. 21 of 1988, Act No. 35 of 2004, Act No. 30 of 2007 and incorporating Act No. 7 of 1966.]

[Date of commencement: 16th December, 1909.]

*Preliminary***1. Short title**

This Act may be cited as the Marriage Act.

2. Interpretation

In this Act, unless the context otherwise requires—

“**Form**” means a Form in the Schedule;

“**minister of religion**” includes any clergyman or minister of any religious denomination;

“**Registrar-General**”, “**registrar**” and “**marriage officer**” mean respectively a person appointed as Registrar-General of Marriages, registrar of marriages or marriage officer under this Act;

“**religious denomination**” includes the Church of England, the Roman Catholic Church, the Presbyterian Church, the Wesleyan Methodist Church, the Plymouth Brethren, the Jewish Religion, the Society of Friends and any other body which the Governor-General may, by notice in the *Gazette*, declare to be a religious denomination for the purposes of this Act.

3. Registrar-General of Marriages

The Registrar of the High Court shall be the Registrar-General of Marriages.

PART I

Validity

4. Age of marriage

(1) A marriage solemnised between persons one of whom is—

- (a) a female person under the age of fifteen; or
- (b) a male person under the age of sixteen,

shall be void.

(2) Nothing in subsection (1) shall affect—

- (a) any marriage solemnised or contracted before the 12th April, 1966, and any such marriage shall be or become valid in any case where, if this section had not been enacted, it would be or become valid;
- (b) any right or capacity of legitimation *per subsequens matrimonium*.

5. Marriage with deceased wife's sister

No marriage heretofore or hereafter contracted between a man and his deceased wife's sister, in Saint Vincent and the Grenadines or elsewhere, shall be deemed to have been, or shall be, void or voidable as a civil contract, by reason only of such affinity:

Provided that in case, before the 16th December, 1909, any such marriage shall have been annulled, or either party thereto (after the marriage and during the life of the other) shall have lawfully married another, it shall be deemed to have become and to be void upon and after the day upon which it was so annulled, or upon which either party thereto lawfully married another as aforesaid:

Provided also that no right, title, estate or interest in, to or in respect of any property, whether in possession or expectancy and whether vested or contingent, accrued before the 16th December, 1909, and no act or thing lawfully done or omitted before the 16th December, 1909, shall be prejudicially affected, nor shall any will be deemed to have been revoked, by reason of any marriage heretofore contracted as aforesaid being made valid by this Act.

6. Prohibited degrees, etc.

(1) If any persons knowingly and wilfully intermarry after the 16th December, 1909, without authority as detailed in section 18, or if the parties to any marriage are within the prohibited degrees of consanguinity or affinity, according to the law of England, at the time of such marriage, the marriage shall be null and void.

(2) A marriage solemnised in Saint Vincent and the Grenadines otherwise than under the provisions of this Act shall have no legal effect.

7. Wilful non-compliance

If both parties to a marriage, knowingly or 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.

8. Effect of non-observance in other cases

Except as aforesaid, and except as in section 24 provided 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.

PART II

Registrars of Marriages and Marriage Officers

9. Appointment of registrars and marriage officers

(1) The Governor-General may appoint, and remove at pleasure, officers to be called registrars of marriages, and also marriage officers who shall be 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, be registrars of marriages. 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.

9A. Certain persons deemed to be marriage officers

(1) Where any person acted as a marriage officer during any period prior to the commencement of this section and the Governor-General after consultation with the Cabinet is satisfied that such person did so under a *bona fide* belief that he was a marriage officer during that period, he may direct in writing that such person shall for all purposes be deemed to have been duly appointed a marriage officer during such period.

(2) Any marriage solemnised by any person who is deemed to have been duly appointed as a marriage officer in accordance with this section shall, provided such marriage was in every other respect solemnised in accordance with the provisions of this Act or any prior law, as the case may be, and there was no lawful impediment thereto, be as valid and binding as it would have been if such person had been duly appointed as a marriage officer.

(3) Nothing in this section contained shall be construed as relieving any person in respect of whom a direction has been issued thereunder, from liability to prosecution for any offence committed by him.

[Section 9A inserted by Act No. 30 of 2007.]

10. Ministers of religion

(1) Ministers of religion, whether acting for one congregation or having the superintendence of several congregations, shall ordinarily be entitled, subject to the provisions of sections 10A and 11, 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 of religion if he thinks him unfit.

[Subsection (1) amended by Act No. 30 of 2007.]

(2) 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 belongs.

10A. Qualification

(1) A minister of religion who desires to act as a marriage officer shall satisfy the Governor-General that he—

- (a) is ordained or licensed as a minister of religion or is recognised by the religious denomination to which he belongs, as being authorised to solemnise marriage according to the rites and usages of that religious denomination;
- (b) is of good character;
- (c) is at least twenty-one years of age;
- (d) is recommended by the head of the religious denomination to which he belongs.

(2) A minister of religion recommended to act as a marriage officer in accordance with subsection (1) shall satisfy one or more of the following qualifications—

- (a) hold a degree in theology or a diploma in religious studies or an appropriate qualification deemed by the Governor-General to be equivalent for the purposes of this Act; or
- (b) possess at least a secondary education; or
- (c) be a senior minister or a member of his church for not less than ten years.

(3) The Governor-General may make regulations prescribing further requirements to be satisfied by ministers of religion without a degree in theology.

(4) A minister of religion shall be required to furnish the Governor-General with proof of the information required under subsections (1) and (2) in a manner satisfactory to the Governor-General.

(5) Nothing in this section shall affect a minister of religion who on the commencement of this section holds an appointment as a marriage officer under this Act.

[Section 10A inserted by Act No. 30 of 2007.]

11. Provisions relating to ministers of religion

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

(2) Any 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 acts as minister of religion, and with respect to which he desires to act as marriage officer; and
- (b) the name or other description of the place of public worship over the congregations of which he has local superintendence, and with respect to which he desires to act as marriage officer.

(3) Every magistrate and every registrar shall keep affixed in a conspicuous place in his 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 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 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.

(6) If, from any cause, a minister of religion is not desirous of acting as a marriage officer, or is not desirous of acting as a marriage officer on the occasions referred to in section 28 and with respect to the duties of registration consequent to the solemnisation of matrimony, the Governor-General may, on application from the head of any religious denomination nominating any person for appointment as a marriage officer (with limitations) for any congregation attending any place of public worship, appoint such person to be a marriage officer at all marriages solemnised at any such place. Every such appointment shall be subject to a bond being given, or other suitable arrangements being made, for the correct discharge by such person of the duties imposed upon him as a consequence of his appointment.

(7) Every person appointed under subsection (6) 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 18:

Provided always that nothing herein contained shall be deemed to constitute any such person a marriage officer within the meaning of section 17.

(8) Ministers of religion who desire to be appointed as marriage officers, subject to the exception hereinbefore mentioned, may be appointed as marriage officers for all purposes connected with the issue of a marriage officer's certificate, such as is referred to in section 18, and all matters, duties and powers anterior or incidental to such issue. Every minister of religion appointed with such limitations shall, for all purposes, be deemed to be a marriage officer within the meaning of this Act with respect to such matters, duties and powers.

(9) Every person appointed as a marriage officer, or as a marriage officer subject to limitations, shall notify the Registrar-General of his address and of every change therein. If any marriage officer does not notify his address, the Governor-General may cancel his appointment.

12. Registrar *ex officio* marriage officer

A registrar shall be *ex officio* a marriage officer for his district, but shall not act as such elsewhere than in his office, nor otherwise than subject to the provisions of sections 26 and 29.

13. Security

A registrar, if not a magistrate, shall, before entering on the duties of his office, give security for the due execution of his duties in such sum as the Governor-General may require.

14. Registrar may appoint deputy

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

(2) Such deputy shall hold his office during the pleasure of the registrar by whom he is appointed, and shall be removable from 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 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 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 office, his deputy shall act as registrar in his place until the appointment of another registrar is made and notified by the Governor-General.

15. Resignation

A marriage officer may resign his appointment as such. Any such resignation shall be notified in the *Gazette* and shall take effect from the date of publication.

16. Cessation of appointment

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

Provided that nothing in this section shall be regarded as applying to a marriage officer intending to be temporarily absent, as mentioned in section 17, and who has duly notified the Registrar-General of his intention to cease to act for, or to have local superintendence over, a congregation temporarily.

17. Temporary absence

(1) Any marriage officer intending to cease temporarily from acting for a congregation, or from having 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 as shall be satisfactory to the Registrar-General.

(2) Any 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 the marriage register books, shall, *ipso facto*, vacate his appointment and shall not ordinarily be entitled to re-appointment.

(3) When any marriage officer desires to leave Saint Vincent and the Grenadines and makes arrangements to leave the care of his place of worship and the conduct of the service therein to a catechist, lay reader or other person not being a minister of religion, the Governor-General may, on the recommendation of the marriage officer desiring to leave, 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 has been appointed in his stead.

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

(5) Any person appointed to act as a marriage officer under the provisions of this section shall, for the time during which he is appointed to act, have all the rights and powers, and be subject to all the obligations, of a marriage officer.

PART IIA

The Registrar-General of Marriages

[Part IIA inserted by Act No. 30 of 2007.]

17A. Registrar-General of Marriages *ex officio* marriage officer

The Registrar-General of Marriages shall be *ex officio* a marriage officer for Saint Vincent and the Grenadines.

17B. Power of the Registrar-General of Marriages

The provisions of this Act relating to a registrar shall apply where appropriate to the Registrar-General with such modification as may be necessary.

17C. Limitation of power

The Registrar-General shall not perform any function or act in respect of marriage otherwise than in accordance with the provisions of this Act.

17D. Place for solemnisation of marriage

The Registrar-General may, at the request of the parties to a marriage, solemnise a marriage at any place within Saint Vincent and the Grenadines that he is satisfied is a fit and proper place for such solemnisation; except that any expense incurred by the Registrar-General for the solemnisation of a marriage at any place other than his office shall not be a charge on the Consolidated Fund.

17E. Fees

(1) A Registrar shall be entitled to receive from the persons married a fee of one hundred dollars to be paid into the Consolidated Fund, if the marriage was solemnised by him at his office.

(2) A Registrar shall be entitled to receive from persons married the fee referred to in subsection (1) which shall be paid into the Consolidated Fund and an additional fee of one hundred dollars which shall be for his personal remuneration, if the marriage was solemnised by him at a place other than his office.

PART III*Preliminaries to and Solemnisation of Marriage***18. Authority for solemnisation**

Marriage may be solemnised under the authority—

- (a) of a marriage officer's certificate or certificates;
- (b) of a registrar's certificate or certificates;
- (c) of a licence from the Governor-General; or
- (d) without any such authority or certificates, in cases especially provided for in section 24.

19. Registrar's certificate

(1) In every case of persons residing in Saint Vincent and the Grenadines intending that a marriage be solemnised between them under the authority of a registrar's certificate of notice, each of the 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, as nearly as may be, Form IA or IB:

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 Saint Vincent and the Grenadines a single notice by the other person shall suffice.

(2) On 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 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 office, a public notice of the intended marriage as nearly as may be in Form 2 and shall keep the same so put up for seven consecutive days thereafter.

(3) The marriage notice book shall be open at all reasonable times to any person desiring to inspect it.

(4) 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 a certificate of the due publication thereof, in this Act referred to as a "registrar's certificate", as nearly as may be in Form 3A or 3B and shall therein set forth whether any objection has been offered to any such intended marriage.

20. Marriage officer's certificate

(1) In every case of persons residing in Saint Vincent and the Grenadines 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) as nearly as may be in Form 4A or 4B to the minister (being a marriage officer) of the congregation to which he or she belongs or is considered to be attached to, 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 Saint Vincent and the Grenadines, a single notice by the other person shall suffice.

(2) On receipt of such a notice of an intended marriage, the minister (being a marriage officer), being satisfied as to the compliance with the requirements aforesaid and subject to the proviso aforesaid, shall, within four days, enter the particulars set forth in the notice and also the date when such notice was received by him in a book to be kept by him entitled the "marriage banns book", and shall also enter the 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 ministers (and in the event of his ministering in more than one place, preferably on the outside of that at which he may intend to publish 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 hereafter mentioned.

(3) On 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 right of refusal under section 10(2)) by himself, or some other person by him duly authorised, publish the banns of marriage between the parties named therein conformably to the notice in the place of worship in which he 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 Form 5, 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 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 of banns, in this Act referred to as a "marriage officer's certificate" as nearly as may be in Form 6A or 6B and shall set forth therein whether any objection has been offered to such intended marriage.

21. Certificates issued elsewhere

(1) Where a marriage is intended to be solemnised or contracted in Saint Vincent and the Grenadines between a Commonwealth citizen resident in Saint Vincent and the Grenadines and a Commonwealth citizen resident in England, Scotland or Ireland, a certificate issued by a superintendent registrar in England, or by a registrar in Scotland or Ireland, or a certificate of proclamation of banns issued in Scotland, shall have the same effect as a certificate of notice of marriage issued by a registrar under this Act.

(2) For the purposes of this section, the expression "**certificate for marriage**" in reference to certificates issued in Scotland means a certificate of due publication of notice of intention to marry.

22. Certificate for marriage in England, etc.

Where a marriage is intended to be solemnised or contracted in the United Kingdom between a Commonwealth citizen resident in England, Scotland or Ireland and a Commonwealth citizen resident in Saint Vincent and the Grenadines, a certificate of notice of marriage as nearly as may be in accordance with Form 3A, or a certificate of the publication of banns as near as may be in accordance with Form 6A, may be issued in Saint Vincent and the Grenadines by a registrar or by a minister of religion (being a marriage officer) respectively, in like manner as if the marriage was to be solemnised or contracted under circumstances requiring the issue of one or other of such certificates under this Act and as if both such Commonwealth citizens were resident in Saint Vincent and the Grenadines.

23. Governor-General's licence

(1) In any case of persons residing in Saint Vincent and the Grenadines 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 thinks fit, upon proof being made to his 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 7.

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

(3) Applications for marriage licences to, and the issue of marriage licences by, the Governor-General shall be made through such appropriate authority as the Prime Minister may, by notice in the *Gazette*, designate.

(4) Notwithstanding anything to the contrary, all marriage licences signified under the hand of the Permanent Secretary in the Ministry of Housing, Labour and Community Development and dated 31st July, 1984 to 4th October, 1984, both days inclusive, are valid and of full effect.

24. *Marriage in articulo mortis*

A marriage officer may 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*:

Provided that—

- (a) no such marriage shall be solemnised unless both parties are able to signify their consent thereto in the presence of two witnesses;
- (b) no such marriage shall be solemnised where either of the parties is under eighteen, not being a widower or widow, unless the person whose consent is required is present, and gives his or her consent verbally;
- (c) a marriage so solemnised shall be specially registered;
- (d) the register shall contain the particulars and be in the Form 10;
- (e) no marriage solemnised under the provisions of this section shall be valid unless the foregoing conditions are observed;
- (f) no marriage solemnised under the provisions of this section shall operate as a revocation of any will.

25. *Where consent required*

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

(2) Where a person under eighteen, 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 is 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 Saint Vincent and the Grenadines.

(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 certificate shall be as good and effectual as if the necessary consent had been given.

26. Procedure on objection

(1) Any person may notify his objection to an intended marriage by giving notice of objection to the registrar or marriage officer publishing the notice or 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; and
- (c) the person making the same appears personally to lodge the same with the registrar or marriage officer, and in his presence, makes and subscribes a declaration as nearly as may be in Form 8 which the registrar or marriage officer shall endorse 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 certificate, pending decision upon the objection, and shall consider the objection, and make such inquiry thereabouts as he sees fit, and himself 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 may permit), and shall suspend the issue of his certificate until he 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.

(4) If it appears to the judge that the objection, in case of an objection to marriage, was frivolous and vexatious, he may condemn the party making it to pay, in addition to costs and all civil damages to which he may be liable, a fine of one thousand dollars to be enforced in the same way as a judgement of the High Court.

27. Period for which certificates and licences operate

Whenever a marriage does not take place within three months of the date of the registrar's certificate, or a marriage officer's certificate, or a licence granted under section 23,

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.

28. Declaration to be made

After the issue of a registrar's certificate or registrars' certificates, or a marriage officer's certificate or marriage officers' certificates, or a registrar's certificates 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 23, 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 by or in the presence of a marriage officer and of two credible witnesses between the hours of 6 a.m. and 8 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.

29. Marriage before a registrar

If the parties so desire, they may, after certificate or licence duly granted, contract and solemnise marriage at the office and in the presence of a registrar, and in the presence of two witnesses, with open doors, and between the hours of 10 a.m. and 4 p.m., making the declaration and using the form of words provided in section 28; but in such case no religious service shall be used.

30. Marriages under section 29 may be subsequently solemnised in church

(1) If the parties to marriage contracted before a registrar or a marriage officer desire that there shall be separately performed any religious service of matrimony 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 a registrar, or a marriage officer, may, if he thinks fit, perform such religious service.

(2) Nothing in the reading or celebration of such service shall supersede or invalidate any marriage previously contracted before a marriage officer, nor shall such ceremony be registered as a marriage.

31. Duty to obtain particulars

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 IV

Registration and Miscellaneous

32. General register office

The officer of the Registrar of the High Court shall be the general register office for keeping a register of all marriages solemnised in Saint Vincent and the Grenadines.

33. Supervision and control

The Registrar-General 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.

34. Custody of registers

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

- (a) all registers of marriage, and documents relating thereto, that may be in his custody on the 16th December, 1909;
- (b) any ancient register of marriages which, previous to such date, may have been kept in any place of worship and which the owner may be willing to give up; and
- (c) such other registers of marriage as may be committed to his keeping, or deposited at the general register office, under the provisions of this Act.

35. Index 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.

36. Right to search

The Registrar-General shall allow all persons, within hours to be prescribed by regulations made under this Act, to search the index and general marriage register book in the general register office.

37. Issue of copies

The Registrar-General shall give a copy, certified under his hand, of any duplicate register on the file, and of any entry in the general marriage register book in the general register office, to any person requiring it.

38. Obligation to register

Except in the case of exemptions referred to in section 11(6), all marriage officers shall be registrars of marriages for the purpose of registering marriages solemnised or witnessed by them under this Act.

39. Marriage to be entered in register

Immediately after the solemnisation of a marriage, the marriage officer by or before whom it is solemnised shall register it in duplicate, that is to say, firstly in a book to be kept by him for that purpose, called the marriage register book, and secondly on a separate form; such registration shall be in Form 9, and shall be signed by the parties married, by two witnesses, and by the marriage officer.

40. Transmission of duplicate to Registrar-General

After such registration of a marriage, 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 hand to be a true copy.

41. General Marriage Register Book

The duplicate register transmitted by the marriage officer to the Registrar-General shall be filed and safely preserved by him in the general register office, and shall be copied into a book, to be kept by him in the general register office, to be called the "General Marriage Register Book".

42. Correction of omissions and errors

(1) 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, 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*, may apply to a judge of the High Court in chambers for an order to have such marriage correctly registered.

(2) The judge shall require notice of such application to be given to such persons as he thinks expedient.

(3) If the judge is satisfied, after hearing such evidence as may be adduced, that such marriage has been proved, he 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.

43. Departmental regulations

The Registrar-General may make 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.

44. Copies 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.

45. Forms, books, etc., to be supplied

(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 material, 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 registrars and marriage officers, who shall account for all forms so issued to them.

45A. Maintenance of forms, books, etc., in electronic form

Notwithstanding section 45 subsection (2), the Registrar-General shall establish and maintain in electronic form all books, registers, forms and other materials required for the execution of this Act.

[Section 45A inserted by Act No. 35 of 2004.]

46. Registration work

Every marriage officer as a registrar of marriages—

- (a) shall keep safely the marriage register book supplied to him for the purposes of this Act until every place of entry therein is filled, or until he ceases to be a marriage officer, and shall then return it (unless entrusted with it under any regulation made under this Act) to the Registrar-General;
- (b) shall give a copy, certified under his hand, of any entry in every marriage register book in his keeping to any person requiring it;
- (c) shall keep in the prescribed manner all other marriage register books which may be entrusted to him under any regulation made under this Act.

47. Obligations of registrars and marriage officers as registrars

Every registrar—

- (a) shall keep safely in his office every marriage register book kept by himself;

- (b) shall allow all persons within reasonable hours, to be prescribed by regulations made under this Act, to search the marriage register book in his keeping;
- (c) shall give a copy, certified under his hand, of any entry in the marriage register book in his keeping to any person requiring it;
- (d) shall make such periodical returns to the Registrar-General relating to the duties performed by him in relation to this Act as may be required by regulations made under this Act; and
- (e) shall perform such other duties in relation to the execution of this Act as may be assigned to him by regulations made under this Act.

48. Provision for expenses

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

49. Evidence by certified copies and duplicates

(1) Every original register in a marriage register book, 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 any 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 should have been therein set forth, in pursuance of the provisions of this Act, in all proceedings and before all courts.

(2) All certified copies mentioned in subsection (1), and all declarations made pursuant to the provisions of this Act, shall be exempt from stamp duty.

50. Non-compliance

(1) Any officer under this Act who makes default in strictly complying with the provisions thereof, whether by omission or commission, is 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 mentioned in subsection (1), 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 Director of Public Prosecutions.

51. Falsifying, etc., register

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

52. Falsifying, etc., certificate

Any marriage officer who, intentionally 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 guilty of an offence and liable to imprisonment for two years.

53. Presumption in favour of marriage

After the solemnisation of any marriage under, or by virtue of, this Act, it shall not be necessary in support of the marriage, nor 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, nor that the banns were published, nor 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.

54. Regulations

The Governor-General may make regulations, which shall be laid before the House of Assembly for approval, for carrying into effect 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 23, and to ensure registration of the marriages so licenced;
- (b) to fix and enforce 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) the duties of marriage officers appointed on the nomination of heads of religious denominations;
- (f) 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.

55. Correction of clerical errors

(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, subject to any regulations passed 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 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.

Marriage Act

SCHEDULE

[Section 19.]

Forms

FORM 1A

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

Notice of Marriage

To the Registrar of the District.

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 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, and 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 eighteen 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 day of, 20.....

.....
Signature

Subscribed and declared by the above-mentioned, 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

FORM 1B

[Section 19.]

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

Notice of marriage

To the Registrar of the District.

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, 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 eighteen years of age and are not a widow or widower 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
day of, 20.....

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

Marriage Act

FORM 2

[Section 19.]

Public Notice

Registrar's Office, District.

Notice has this day been received at this office, of a marriage intended to be had 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 of the District

Date of Notice

FORM 3A

*(Applicable to the Case of Parties Residing in Different Districts)**Registrar's Certificate*

This certificate remains in force for three months only from its date.

I, [*M.N.*] Registrar of the District, hereby certify that on the day of, 20....., *A.B.*, [here give name, surname, condition, calling, and place of residence of *A.B.*] duly gave notice to me of his (or her) intended marriage to *C.D.* [here give name, surname, condition, calling, and place of residence 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).

Certified by me the said *M.N.* this day of, 20..........
M.N.

Registrar of the District

FORM 3B

[Section 19.]

*(Applicable to the Case of Parties Residing in the Same District)**Registrar's Certificate*

This certificate remains in force for three months only from its date.

I, [M.N.] Registrar for the District, hereby certify that on the day of, 20....., A.B. [here give name, surname, condition, calling, and place of residence of A.B.] and on the day of, 20....., 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).

Certified by me the said M.N. this day of, 20.....

.....
M.N.

Registrar of the District

Marriage Act

FORM 4A

[Section 20.]

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

Notice for Banns

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 to be had 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.

Name and surname	Condition	Calling	Age	Parish dwelling place

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 eighteen 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 day of, 20.....

.....
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

Marriage Act

FORM 4B

[Section 20.]

*(Applicable to the Case of Parties Belonging to Different Congregations
and Giving a Single Notice)*

Notice for Banns

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

We [here 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 to be had 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 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 is or are under eighteen
years and is not a widow or widower 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
day of, 20

Signatures

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

Marriage Act

FORM 5

[Section 20.]

Form of Words to be Used in the Publication of Banns

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 cause or just impediment why these two persons should not be joined together in holy matrimony ye are to declare it.

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

FORM 6A

[Section 25.]

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

Marriage Officer's Certificate

This certificate remains in force for three months only from its date.

I,, minister of church (or chapel) in the parish of and a marriage officer for the said parish, hereby certify that on the day of, 20....., *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 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).

Certified by me the said this day of, 20.....

Minister of church (or chapel) in the parish of and a marriage officer of the said parish

.....
Signature

FORM 6B

[Section 25.]

*(Applicable to the Case of Parties belonging to the same Congregation)**Marriage Officer's Certificate*

This certificate remains in force for three months only from its date.

I,, minister of church (or chapel) in the parish of and a marriage officer for the said parish, hereby certify that on the day of, 20....., *A.B.* [here give name, surname, condition, calling and place of residence of *A.B.*] and on the day of, 20....., *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 to be had 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).

Certified by me the said this day of, 20.....

Minister of church (or chapel) in the parish of and a marriage officer of the said parish.

Marriage Act

FORM 7

Governor-General's Licence

This licence remains in force for three months only from its date

SAINT VINCENT AND THE GRENADINES

To any marriage officer of Saint Vincent and the Grenadines.

These are 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 of residence of *C.D.*] according to the provisions of the Marriage Act, you knowing no lawful impediment to the contrary.

Dated the day of, 20.....

By order of the Governor-General

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

FORM 8

[Section 26.]

Declaration

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

P.Q., objector.

I certify that this declaration was made before me and subscribed in my presence this day of, 20, at

.....
M.N.

Registrar [or

..... Minister of
..... church (or chapel) and a
marriage officer as the case may be] of the parish of

Marriage Act

FORM 9

[Section 39.]

Marriage Register

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

This marriage was celebrated
between us

}

In the presence
of us

}

Married at by (or before) me, this
..... day of, 20.....
..... Marriage officer of the parish of.....

Marriage (Duplicate) Register

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

Marriage Act

FORM 10

[Section 24.]

Marriage Register (Marriage in Articulo Mortis)

This marriage was celebrated between us }

In the presence of us }

Married at by (or before) me, this
..... day of, 20.....

..... Marriage officer of the parish of

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

This marriage was solemnised between us }

In the presence of us }

Married at by (or before) me, this
..... day of, 20.....

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

.....
Signature

Marriage (Duplicate) Register (Marriage in Articulo Mortis)

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

This marriage was solemnised between us }

In the presence of us }

Married at by (or before) me, this
..... day of, 20.....

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



CHAPTER 236

MARRIAGE ACT

SUBSIDIARY LEGISLATION

List of Subsidiary Legislation

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LAWS OF SAINT VINCENT AND THE GRENADINES
REVISED EDITION

MARRIAGE REGULATIONS

SRO 1910 page 2

Amended by
Act No. 31 of 1947
SRO 35 of 1972
Act No. 3 of 1978
SRO 38 of 1980
SRO 40 of 1989
SRO 41 of 1997
SRO 31 of 2001
SRO 18 of 2002
SRO 5 of 2006

Printed and published with the authority of the
Government of Saint Vincent and the Grenadines



MARRIAGE REGULATIONS

ARRANGEMENT OF REGULATIONS

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Special Licences

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12. Rules for the direction of marriage officers and registrars of marriage.

MARRIAGE REGULATIONS

[SRO 1910 page 2 amended by Act No. 31 of 1947, SRO 35 of 1972, Act No. 3 of 1978, SRO 38 of 1980, SRO 40 of 1989, SRO 41 of 1997, SRO 31 of 2001, SRO 18 of 2002, SRO 5 of 2006.]

[Date of commencement: 1st April, 1910.]

1. Citation

These Regulations may be cited as the Marriage Regulations.

2. Interpretation

In these Regulations “**special licence**” means a licence granted by the Governor-General under section 23 of the Marriage Act.

Special Licences

3. Period of residence required for grant of special licence

A special licence will only be granted for the marriage of persons who have both been resident in Saint Vincent and the Grenadines for a period of at least one day before the application for the licence.

[Regulation 3 is amended by SRO 31 of 2001.]

4. Form of application for special licence

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 eighteen 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 25 of the Act and the fact that the consent of such parent or guardian has been obtained.

5. Solemn declaration to be made before the Registrar-General

There shall be attached to the application a solemn declaration, made by the applicant before the Registrar-General, verifying the facts stated in the application and stating that both parties to the intended marriage have been resident within Saint Vincent and the Grenadines 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.

6. Certification of facts stated in declaration

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 knows of no legal impediment to the proposed marriage.

7. Governor-General to be satisfied as to truth of facts stated in declaration

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.

8. Stamp duty to be paid

The stamp duty of twenty dollars shall be affixed to the special licence prior to the issue thereof to the applicant, and in addition there shall be paid a fee of five hundred dollars upon the application for such a licence.

[Regulation 8 amended SRO 18 of 2002.]

9. Notice of all special licences to be transmitted to Registrar-General

Notice in writing of all special licences issued by the Governor-General shall, together with the application and the declaration in support thereof, be transmitted by the Governor-General to the Registrar-General and shall be filed by him in the general register office.

10. Fees to be taken by registrars of marriage

The following fees shall be taken by registrars of marriage and shall be affixed in stamps—

- | | |
|--|---------|
| (a) on notice of intended marriage | \$10.00 |
| (b) on application for certificate of publication of notice of intended marriage | \$5.00 |
| (c) for marriages performed by the Registrar-General | \$50.00 |

[Regulation 10 substituted by SRO 41 of 1997.]

11. Fees to be taken in general registry

The following fees shall be taken in the general registry—

For a search of an index or a register, of marriages	\$2.00
For a correction of an error of fact or substance in a register of marriage	\$2.00
For a non-marriage certificate	\$5.00
For a certified copy of duplicate register or entry in General Marriage Register Book (marriage certificate)	\$15.00

[Regulation 11 amended by SRO 5 of 2006.]

12. Rules for the direction of marriage officers and registrars of marriages

Marriage officers and registrars of marriages shall be governed by the following directions in the performance of their duties under the Act.

Marriage Officers

1. Each marriage officer on his appointment will be furnished from the general register office with a copy of the Marriage Act and of any Act amending the same, a copy of these Rules for his direction, and a set of marriage registers, together with a supply of all necessary forms for the purpose of registering marriages solemnised or witnessed by him.
2. Marriage officers and registrars of marriages are required to make themselves fully acquainted with their duties under these Rules, such Rules being binding upon them under the law.
3. Every marriage officer shall, on ceasing so to act, forthwith notify the fact to the Registrar-General, and at once send in to the general register office the marriage register book or books then in his charge, and all forms, documents, etc., belonging to the registration department.
4. The original and duplicate register of a marriage should not together remain in one place any longer than is absolutely unavoidable, lest such entire existent record of a marriage should at any time be lost by accident or otherwise, and the earliest opportunity should therefore be taken, after registering a marriage, for transmitting the duplicate register to the general register office as directed by section 40 of the Marriage Act.
5. For every duplicate register received at the general register office an immediate acknowledgement will be sent to the marriage officer, and, in the event of no such acknowledgement being received by the marriage officer, he should at once report the fact to the Registrar-General, in order that enquiry may be made.
6. A register of marriages is a legal record which may at any time be required to be produced as evidence in a court of law or for other important purposes. It is therefore, of the utmost importance that every entry should not only be accurately made as to the facts required to be set forth in it, but that every word therein should be clearly and distinctly written. When this is not the case mistakes in indexing or transcribing may occur, or correct indexing be rendered impossible, and subsequent searches of the records for any particular marriage register may be fruitless.

7. In the event of any one of the forms in the marriage register being accidentally rendered useless it must on no account be destroyed. The word "cancelled" must be written across it, and also across a corresponding numbered form in the duplicate register: the cancelled duplicate form must be sent up to the Registrar-General in its regular order or number, and the cancelled original form must be left in its place in the marriage register.

8. In order to avoid errors and obliterations the particulars required to be registered, especially names, should be written down on a piece of paper and be shown or read to the parties to the marriage before they are inserted in the register book.

9. If any word, letter, or figure has been inserted erroneously, the marriage officer must draw a line through it and make the correct insertion, but he must in no case make any erasure, that is to say, the entire removal of what may have been written, by scraping the paper with a sharp instrument, or by other means, and on no account is the surface of any incorrect word, letter, or figure to be written over. All such corrections on the register must be made before signatures by the several parties, and each correction must be initialled and dated by the marriage officer.

10. All names, dates, and ages must be written at full length thus—

Susan Marian Barlow, Sixteenth August, 1902, Fifty-nine years.
--

11. Signatures may in all cases be written in the way usually adopted by the person signing.

12. Marriage officers should obtain signatures in preference to "marks" where the person can write at all, an indifferent, or even a bad signature being always more satisfactory than a mere mark. When the mere signature is so ill-written that it cannot be read with certainty, the name represented by such signature should be written against it in pencil by the marriage officer.

13. Uneducated persons, bearing common Christian names, frequently spell them incorrectly in their signatures; in such cases, if the names are correctly written elsewhere in the same entry, the discrepancy should be allowed to remain.

14. Care should be taken that in both original and duplicate register, the entry about to be made shall follow in exact corresponding order of number (without intervening blank spaces or forms) the entry last previously made.

15. Marriage officers should apply to the general register office for books and forms before the supply in hand is exhausted.

16. A good quality of black ink must at all times be used for registration purposes.

17. All letters, documents, etc., addressed to the Registrar-General by marriage officers and marked "On Saint Vincent and the Grenadines Government Service" pass free of postage.

Registrars of Marriage

18. Registrars of marriages will be governed by the foregoing Rules for the direction of marriage officers in so far as they relate to the duties of their office, and by the following which specially apply to them.

19. A newly appointed registrar of marriages on his appointment must forthwith apply to his predecessor in office, or to the interim registrar who has acted during the vacancy of the registrarship, for the register books, forms, books and documents relating to registration which he ought to possess, and on obtaining possession of the same, must make a list of all that he takes over and forward it to the Registrar-General.

20. Every newly appointed registrar, immediately after his appointment, must, by writing under his hand, appoint, subject to the approval of the Governor-General, a fit person to act as his deputy in case of his illness or absence. The appointment must be made out in duplicate, and when signed they must be sent to the Registrar-General.

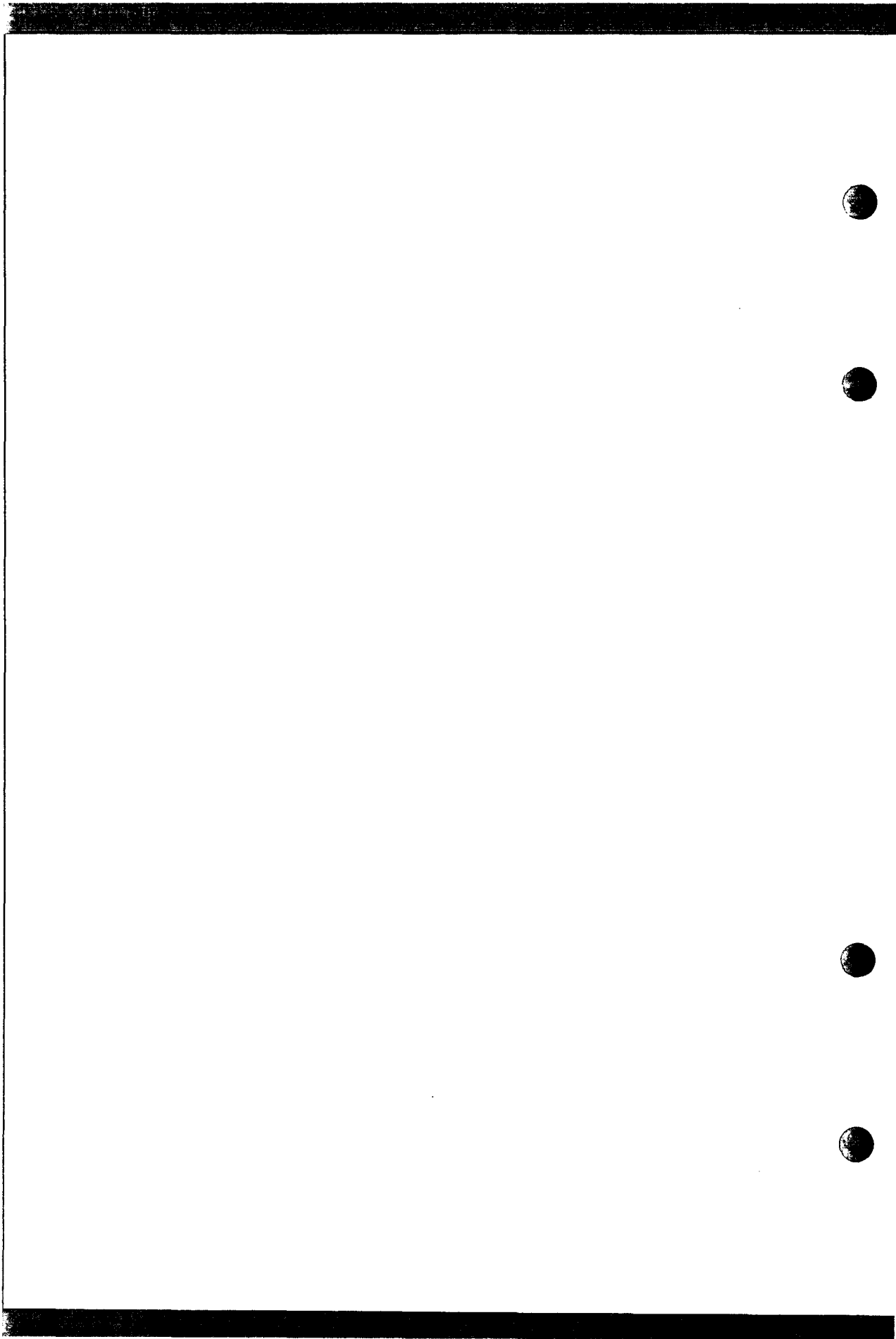
On the Governor-General's approval being signified it will be noted upon the document, one being returned to the registrar and one being retained in the general register office.

21. A registrar must act personally, when not prevented from doing so by illness or absence from his office. When he intends to call upon his deputy to act in his stead for any period longer than three days he must notify his intention to the Registrar-General, stating the time at which the deputy registrar will begin to act, and afterwards reporting to the Registrar-General when the deputy has ceased so to act.

22. If a registrar dies, resigns or otherwise ceases to hold his office, his deputy will become interim registrar, and he must perform all the duties of a registrar until the appointment of another registrar is made and notified by the Governor-General.

23. A registrar must explain to the parties who have given notice of intended marriage that the certificate of such notice of intended marriage cannot be issued until seven clear days have expired after the day of entry of notice in the marriage notice book; thus if the notice be entered on the 1st January, the certificate cannot be issued until the 9th January. It must also be explained that the intended marriage must take place within three calendar months after the day of entry of the notice, otherwise it will become necessary for a new notice to be given, and for a new entry to be made.

24. There is no legal obligation on a registrar to open his office for the celebration of marriage on a Sunday, but he may do so as a matter of favour if he sees fit.



LAWS OF SAINT VINCENT AND THE GRENADINES
REVISED EDITION

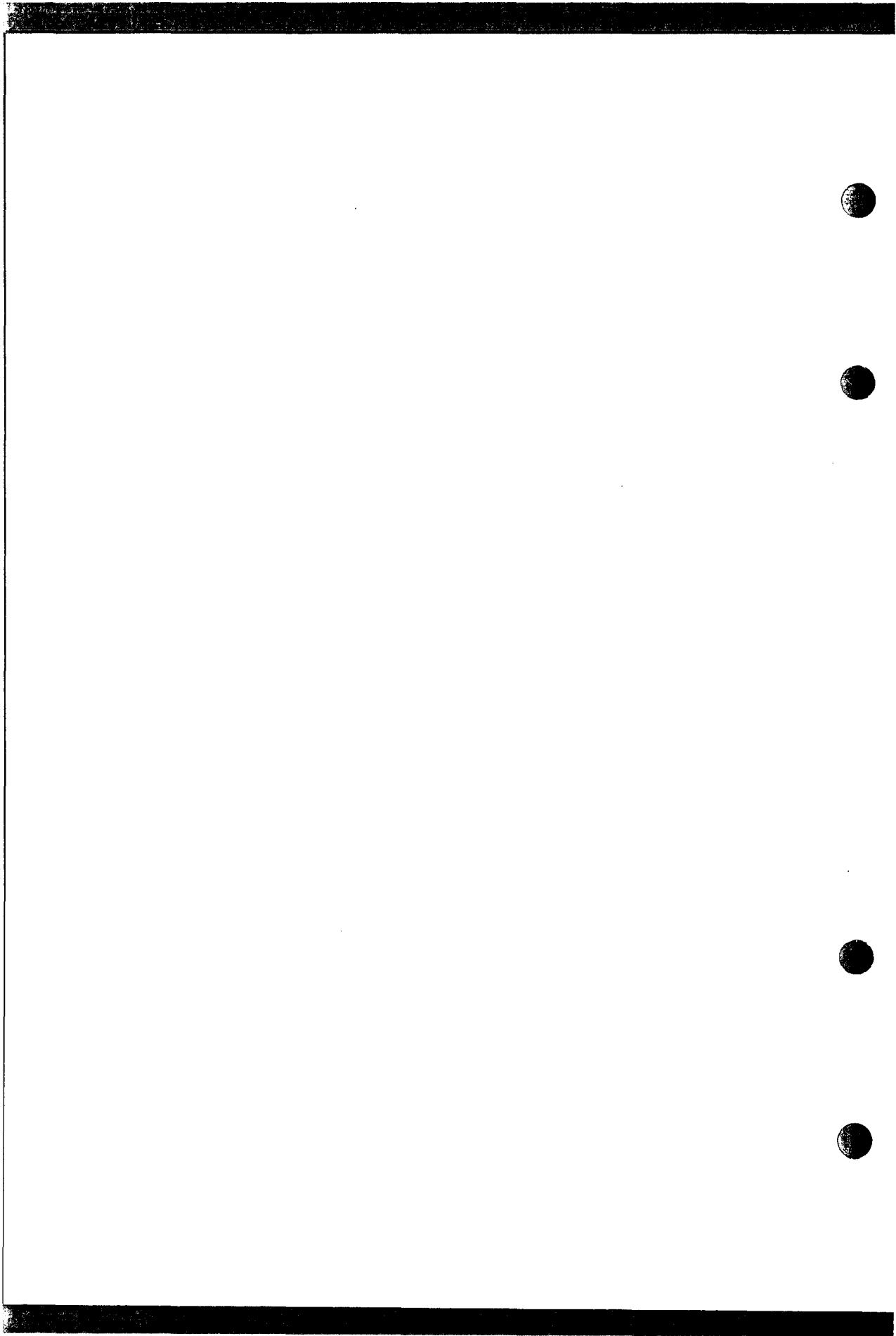
MARRIAGES VALIDATION ACT

CHAPTER 237

**Chapter No.
153 of 1926**

Amended by
Act No. 3 of 1978

Printed and published with the authority of the
Government of Saint Vincent and the Grenadines



CHAPTER 237

MARRIAGES VALIDATION ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Validation of certain marriages.

SCHEDULE

CHAPTER 237

MARRIAGES VALIDATION ACT

An Act to remove doubts as to the validity of certain marriages.

Whereas during the years 1906 and 1907 the marriages set out in the Schedule were solemnised by William Henry Walton, a Minister of a religious denomination known as "The Brethren", which marriages are entered in the Register of Marriages kept by the Registrar-General;

And whereas doubt has arisen whether the said William Henry Walton was a Minister authorised to publish banns of marriage and to solemnise matrimony under the provisions of the Marriage Act, 1841;

And whereas it is expedient under the circumstances aforesaid to remove all doubts touching the validity of the said marriages.

[Chapter No. 153 of 1926 amended by Act No. 3 of 1978.]

[Date of commencement: 27th February, 1908.]

1. Short title

This Act may be cited as the Marriages Validation Act.

2. Validation of certain marriages

The marriages set out in the Schedule shall be as valid as if the banns thereof had been published and the marriages solemnised in accordance with the provisions of the Marriage Act, 1841, and by a Minister authorised by the said Act to solemnise matrimony.

SCHEDULE

<i>No.</i>	<i>When Married.</i>	<i>Names and Surnames of Parties.</i>	<i>Age.</i>	<i>Condition.</i>	<i>Rank or Occupation.</i>	<i>Residence at time of Marriage.</i>	<i>Names, Surnames, and Rank or occupation of Parent.</i>	<i>Where Solemnized.</i>	<i>Name and Religious Denomination of the Minister.</i>	<i>When Registered</i>	<i>Signature of Registrar</i>
B 5	26th June	Reuben Chapman	22 years	Bachelor	Labourer	The Villa	Thomas Chapman Labourer	At the Residence of Bridegroom (The Villa)	Wm. Hy. Walton Gospel Hall Minister	28th June 1906	William Murphy
	1906	Agatha Nicholls	19 years	Spinster	Domestic Servant	The Villa	James Nicholls Overseer				
B 14	14th February	Frederick Alderman Adolphus Peters	30 years	Bachelor	Labourer	Brighton	Duke Peters Labourer	Gospel Hall, Brighton	Wm. Hy. Walton Minister	15th February 1906	William A. Corner
	1907	Annett Laura Drusilla Aberdeen	37 years	Spinster	Labourer	Brighton	George Aberdeen Labourer				

CHAPTER 237

MARRIAGES VALIDATION ACT

SUBSIDIARY LEGISLATION

No Subsidiary Legislation

