CHAPTER 124A

MARITIME MARRIAGE

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CHAPTER 124A

MARITIME MARRIAGE

An Act to make provision for marriages to be contracted on Bahamian ships on high seas. *31 of 2012*

[Assent 27th July, 2011]

[Commencement 1st February, 2013]

1. This Act may be cited as the Maritime Marriage Act. Short title.

2. In this Act — Interpretation.

"Bahamian ship" means a ship registered in the Commonwealth of The Bahamas under Part H of the Merchant Shipping Act or any modification or re-enactment thereof; Ch. 268.

"Certificate for Marriage" means the certificate issued by the Registrar under section 8;

"high seas" means all parts of the sea that are not included in the territorial sea, or in the internal waters of a State, or in the archipelagic waters of an archipelagic State. *31 of 2012, s. 3.*

"marriage" means a legal union between one man and one woman as husband and wife;

"master" includes every person (except a pilot) having command or charge of any ship;

"Maritime Marriage Notice Book" means the book referred to in section 7(2);

"Maritime Marriage Log Book" means (the book referred to in section 19(1);

"marriage officer" means the master of a Bahamian ship licensed by the Registrar-General to be a marriage officer under section 3 and includes a provisional marriage officer licensed under section 4

"the Minister" means the Minister responsible for the Registry of Records;

"Register of Maritime Marriages" means the register referred to in section 19(1);

"Registrar" means the Registrar of Marriages referred to in section 8 of the Marriage Act; Ch. 120.

"Registrar-General" has the meaning ascribed thereto in the Marriage Act; Ch. 120.

"Registrar of Shipping" means the Registrar of Shipping for Bahamas referred to in section 5 of the Merchant Shipping Act; Ch. 268.

"Special Licence" means the licence issued by the Registrar-General under section 14.

Licensing of masters to be marriage officers.

3. (1) The Registrar-General, by writing under his hand, may grant a licence to the master of a Bahamian ship to be a marriage officer for the purposes of this Act.

(2) An application for the grant to a master of a licence to be a marriage officer shall be made in writing to the Registrar-General and shall state the full name of the applicant, his address and date of birth, and shall contain such other particulars as may be prescribed.

(3) An application shall be forwarded to the Registrar of Shipping accompanied with a certificate of the applicant's qualifications to be a marriage officer and a letter of his appointment to serve on board a Bahamian ship.

(4) The Registrar of Shipping on being satisfied that the application contains sufficient information to enable it to be considered by the Registrar-General, shall forward the application to the Registrar with his recommendation on the application.

(5) Every licence granted by the Registrar-General under this section shall have effect as from such date and shall be valid for such period as may be specified in the licence, and may, by the terms of the licence, limit to any particular ship or ships the functions of the master so licensed.

(6) A licence granted by the Registrar-General under this section shall be in the form set out in the First Schedule. First Schedule.

(7) The Registrar-General shall cause a notice of the grant of the licence to be published in the *Gazette* as soon as may be after the licence is granted.

(8) The Registrar-General may at any time and without assigning any reason revoke a licence granted by him under this section.

(9) A marriage officer may at any time by notice in writing to the Registrar-General surrender his licence.

(10) The Registrar-General shall cause a notice to be published in the *Gazette* of every revocation of a licence under subsection (8) or surrender of licence under subsection (9).

Licensing of the second in command of a ship to be a provisional marriage officer.

4. (1) The Registrar-General may in writing, grant a licence to a person who is the second in command to be a provisional marriage officer for the purposes of this Act.

(2) The making of an application for a licence under subsection (1) and the way the application is dealt with shall be the same as an application for a licence under section 3(2) to (4).

(3) Section 3(5) to (10) shall apply, with necessary modifications, to a licence granted under subsection (1).

(4) Notwithstanding subsections (2) and (3), a licence granted under subsection (1) shall be granted subject to the condition that the licensee shall perform a marriage ceremony only if such licensee is at the time scheduled for the marriage ceremony, the master of the ship.

Registrar to keep list of marriage officers.

5. (1) The Registrar of Marriages shall keep affixed in a conspicuous place in his office a list showing the names of all marriage officers licensed under this Act and the names of the ships on which they are authorized to act.

General prerequisites of marriage.

6. (1) Subject to the requirements of this Act relating to notice of marriage and the issue of a Certificate for Marriage, a marriage may be contracted before a marriage officer on the high seas under the authority of a Certificate for Marriage.

(2) A marriage may be contracted before a marriage officer on the high seas without notice of marriage or the issue of any Certificate for Marriage under the authority of a Special Licence.

(3) A marriage in *articulo mortis* may be contracted on the high seas before a marriage officer in accordance with section 17.

(4) Every marriage shall be performed by the licensed marriage officer under this Act, at least twelve nautical miles away from the shoreline of the Commonwealth of The Bahamas.

Notice of marriage. Form A, Second Schedule.

7. (1) One of the parties to an intended marriage shall give to the Registrar notice of the intended marriage in Form A set out in the Second Schedule, making the declarations therein contained.

31 of 2012, s. 4.

(2) The Registrar on receiving notice of the intended marriage shall forthwith enter the particulars contained in the notice and the date of the receipt of the notice in the electronic computer based Maritime Marriage Notice Book of the Registry of Records, and shall keep the notice posted in a conspicuous place in his office for a period of not less than seven days from the date of the receipt thereof.

Form B, Second Schedule.

(3) The Registrar shall also within three days of the receipt of the notice of intended marriage cause advertisement thereof in Form B set out in the Second Schedule to be published once in any two newspapers published and circulated in The Bahamas.

(4) Any expenses incurred by the Registrar in the publication of the advertisement of a notice of intended marriage shall be paid to the Registrar by the person who gave the notice.

Issue of Certificate for Marriage.

8. (1) After the posting and advertisement of the notice of intended marriage and at any time not later than three months or earlier than seven days after the receipt of the notice of intended marriage, the Registrar on the application of either of the parties to the intended marriage, and if no lawful impediment has been shown to his satisfaction why a Certificate for Marriage should not issue and if no caveat has been entered against the issue of a Certificate for Marriage or if a caveat so entered has been removed, shall issue to the applicant a Certificate for Marriage in Form C set out in the Second Schedule.

Form C, Second Schedule.

(2) The Registrar shall not issue a Certificate for Marriage until the expenses of the advertisement have been paid as required by section 7(4).

Consent to marriage of minors.

9. (1) Where a party to an intended marriage, not being a widower or widow, is between the ages of fifteen to seventeen years of age, then the consent of the person or persons mentioned in the Third Schedule shall be required to the marriage of that party.

Third Schedule.

(2) The consent required by subsection (1) shall be in such form as may be prescribed.

Application for consent of Judge.

10. (1) If any person whose consent to a marriage is required under section 9 is absent from The Bahamas or is

of unsound mind, then a Judge, on application being made, may consent to the marriage.

(2) If any person whose consent to a marriage is required under section 9 refuses to give his consent, then a Judge, on application being made, may consent to the marriage; and the consent of a Judge shall have the same effect as if it had been given by the person whose consent is refused.

(3) Any application for the consent of a Judge under this section shall be made by the parties to the intended marriage and shall be by originating summons.

Caveat may be entered.

11. (1) Any person whose consent to a marriage is required under this Act or who knows or claims to know of any just cause why the marriage should not take place may enter a caveat against the issue of a Certificate for Marriage.

(2) A person desiring to enter a caveat shall do so by notice in writing under his hand given to the Registrar, stating that he forbids the marriage and stating his full name and place of abode and the grounds on which he claims to forbid the marriage.

(3) If the Registrar thinks fit, he may require such notice to be made or given on oath.

(4) Notice may be given at any time before the issue of the Certificate for Marriage to which it relates.

(5) Where a caveat is entered, the Registrar shall not issue a Certificate for Marriage unless and until the caveat is removed.

Duties of marriage officer and Registrar on entry of caveat.

12. (1) On the entry of a caveat, the Registrar shall forthwith record in the Maritime Marriage Notice Book the particulars contained in the notice and the date of the receipt of the notice.

(2) The Registrar shall as soon as may be refer every caveat to the Attorney-General who would refer the matter to a Judge.

Powers of Judge to whom caveat referred.

13. Where a caveat has been referred to a Judge in accordance with section 12, the following provisions shall have effect —

(a) if the Judge is of opinion that no legal ground has been disclosed in the caveat for forbidding the marriage, he may order the caveat to be re-

moved without requiring any of the parties to appear;

(b) in other cases, the Judge shall cause a summons to be issued to the parties to the intended marriage and the person by whom the caveat has been entered requiring such person to show cause why the Certificate for Marriage should not be issued in due course;

(c) the Judge may hear and determine every such matter in a summary way and may confirm the caveat or may order it to be removed;

(d) if the caveat is removed, the Registrar may issue his Certificate for Marriage in due course and the marriage may proceed as if the caveat had not been entered, but the time that has elapsed between the entry and removal of the caveat shall not be computed in the period of three months specified in section 8(1);

(e) if it appears to the Judge that the caveat has been entered on insufficient grounds, the Judge may award compensation and costs to the party against whose marriage the caveat was entered.

Special Licences.

14. (1) Notwithstanding anything in the foregoing provisions of this Act, the Registrar-General may in the case of any intended marriage dispense with the giving of notice of marriage and with the issue of a Certificate for Marriage by the Registrar, and may grant a Special Licence in Form D in the Second Schedule, authorising the contracting of the marriage before the marriage officer.

Form D, Second Schedule.

(2) An application for a Special Licence may be made by a party to the intended marriage to the Registrar-General and it shall be submitted to the Registrar together with the affidavit referred to in subsection (4).

(3) The Registrar-General shall not grant a Special Licence under subsection (1) unless —

(a) it appears to him that the intended marriage is a proper one;

(b) that there are special or exceptional circumstances justifying the grant of a Special Licence; and

(c) the affidavit mentioned in subsection (4) is produced to him.

(4) One of the parties to the intended marriage shall make an affidavit deposing to the following matters —

(a) that there is no impediment of consanguinity or affinity or other lawful hindrance to the intended marriage; and

(b) that each of the parties is of full age, or, if either of the parties is not of full age, that the consent to the marriage required by this Act has been obtained.

Certificate for Marriage or Special Licence lapses within three months.

15. Where an intended marriage does not take place within three months after the date of the issue of any Certificate for Marriage or Special Licence relating to the intended marriage, the Certificate for Marriage or Special Licence shall be void, and the marriage shall not be contracted before a marriage officer under the authority of that Certificate for Marriage or Special Licence.

Contracting of marriage before marriage officer.

16. (1) On the delivery to the marriage officer of a valid Certificate for Marriage issued by the Registrar or of a valid Special Licence granted by the Minister the parties specified in the Certificate for Marriage or Special Licence may contract a marriage on board a Bahamian ship on the high seas, subject to the observance of the following provisions —

(a) the marriage shall be contracted in the presence of the marriage officer and of two or more credible witnesses at least eighteen years of age;

(b) the marriage officer on the delivery to him of the Certificate for Marriage or Special Licence shall enquire of the parties whether they are desirous of becoming man and wife, and if and when the parties answer in the affirmative he shall address them as follows: "Do you or either of you know of any lawful impediment why you should not be joined together in matrimony?" Each of the parties shall then declare in the presence of the witnesses "I do solemnly declare that I do not know of any lawful impediment why I [A.B.] should not be joined in matrimony to [C.D.] here present." And each of the parties shall say to the other in the presence of the witnesses "I call upon these persons here present to witness that I [A.B.] do take you [C.D.] to be my lawful wedded wife [or husband]."

(2) The marriage officer shall not permit any marriage to be contracted before him if he knows or has reason to believe that there is any lawful impediment to the marriage.

(3) All marriages contracted in the manner provided in this Act on board Bahamian ships on the high seas before a marriage officer shall be as valid in law as if the same had been contracted in The Bahamas.

Marriage *in articulo mortis*.

17. (1) Notwithstanding anything in this Act, if the conditions specified in subsection (2) are fulfilled, it shall be lawful to contract a marriage before a marriage officer without giving notice of the intended marriage, or (if notice has been given) without the issue of any Certificate for Marriage, or after the expiration of three months from the date of the issue of a Certificate for Marriage.

(2) The conditions referred to in subsection (1) are as follows —

(a) the parties to the intended marriage must be legally competent to marry and must be of full age;

(b) the marriage must be contracted in the presence of two or more credible witnesses in addition to the marriage officer and one of the witnesses must be a medical practitioner; and

(c) at least one of the parties to the intended marriage must in the opinion of the medical practitioner be *in articulo mortis* but able to understand the material parts of the marriage contract.

(3) A marriage contracted under this section shall not operate as a revocation of any will.

Void marriages.

18. (1) Without prejudice to the effect of any other provision of law under which a marriage is void or voidable, a marriage shall be null and void —

(a) unless it is contracted before a marriage officer;

(b) if the parties to the marriage are within the prohibited degrees of consanguinity or affinity according to the law for the time being in force in The Bahamas;

(c) if at the time of the marriage either party to the marriage is suffering from mental disorder within the meaning of the Mental Health Act;

Ch. 230.

(d) if at the time of the marriage either party to the marriage is under the age of fifteen years;

(e) if both parties to the marriage knowingly and wilfully acquiesce in the contracting of the marriage under a false name or names;

(f) if both parties to the marriage knowingly and wilfully acquiesce in the contracting of the marriage without any notice given of the marriage (where such notice is required by this Act) or without the authority, as the case may be of a Certificate for Marriage or of a Special Licence;

(g) if the marriage is contracted in *articulo mortis*, and both parties thereto knowingly and wilfully acquiesce in its being so contracted without fulfilment of the conditions specified in section 17.

(2) Save as provided in subsection (1) no marriage after it has been contracted shall be deemed to be invalid by reason of a failure to comply with any of the provisions of this Act.

Registration of marriages.

31 of 2012, s. 5.

19. (1) Immediately after the marriage has taken place before a marriage officer, the marriage officer shall enter in the electronic computer based Maritime Marriage Log Book of the Registry of Records, a statement of the marriage in Form E set out in the Fourth Schedule, which statement shall be signed by the marriage officer, by the parties to the marriage and by two credible witnesses of the marriage, and the marriage officer shall, within fourteen days after the contracting of the marriage, transmit to the Registrar a duplicate of such statement similarly signed, and such duplicate statement shall be filed by the Registrar and preserved among the records of his office, and the Registrar shall enter a true copy thereof in the Register of Maritime Marriages.

Form E, Fourth Schedule.

(2) In the case of a marriage contracted in *articulo mortis* under section 17 —

(a) the requirement as to the signing of the statement and the duplicate thereof by the parties to the marriage shall be waived so far as regards any party unable to sign;

(b) there shall be endorsed on the statement and on the duplicate thereof a certificate in Form F set out in the Fourth Schedule which certificate shall be signed by the marriage officer and by any party to the marriage able to sign and by two

Form F, Fourth Schedule.

credible witnesses of the marriage one of whom shall be the medical practitioner referred to in section 17;

(c) the Registrar shall insert the words "*in articulo mortis*" in the entry to be made in the Register of Maritime Marriages.

(3) Any marriage officer who, without reasonable cause or excuse, fails within fourteen days after the contracting of any marriage to transmit to the Registrar a duplicate statement in accordance with this section is guilty of an offence and liable on summary conviction to a fine not exceeding $2,000.

Any person may search registers and obtain copies of particulars.

20. Any person at all reasonable times may search the entries in the Register of Maritime Marriages and may have true copies certified under the hand and seal of the Registrar of all particulars recorded in any such entry.

Registrar may require information.

21. (1) The Registrar may, for the purpose of completing or rectifying the registration of any marriage, require any person who is required by this Act to give any notice or statement relating to the marriage, or who may reasonably be expected to have knowledge of the true facts relating to the marriage, to make any written declaration or to give any information within his knowledge relating to the marriage.

(2) If the Registrar thinks fit he may require any such declaration or information to be made or given on oath.

Alterations and amendments.

22. (1) No alteration in the Register of Maritime Marriages shall be made except as authorized by this section.

(2) Any clerical error which may from time to time be discovered in the Register may be corrected by the Registrar or by any person authorised by him in that behalf; and where any such correction is made a note to that effect shall be inserted in the Register and shall be signed by the Registrar.

(3) Any error of fact or substance in the Register may be corrected by the Registrar in cases where he is satisfied as to the truth of the correction.

(4) The correction shall be made by entry in the Register (without any alteration in the original entry) and a note to that effect shall be inserted in the Register and shall be signed by the Registrar.

(5) Where a person applies for the correction of an error of fact or substance, the Registrar, if satisfied as to the truth of the correction, and upon payment of the prescribed fee, may make the correction in the manner set out in subsection (4) upon production to him by the applicant of a sworn declaration in writing setting forth the nature of the error and the true facts of the case, and made and signed by a person required to make any statement under the provisions of this Act relating to the marriage to which the application relates or by any two credible persons having knowledge of the truth of the case.

Offences.

23. (1) Any person —

(a) who, not being a marriage officer, knowingly and wilfully, authorizes or conducts or professes to authorize or conduct the contracting of any marriage before him;

(b) who, being a marriage officer, authorizes or conducts the contracting of any marriage, knowing that the marriage is void on any ground, or knowing that it is an irregular marriage;

(c) who is a party to a marriage, knowing that the marriage is void on any ground and that the other party thereto believes it to be valid;

(d) who impersonates any other person in marriage or marries under a false name or description, with intent to deceive the other party to the marriage;

(e) who, in any declaration, notice, statement, certificate, entry, licence or document required by any of the provisions of this Act to be made, given or issued for the purposes of a marriage, declares, states, certifies or enters any material matter or thing which he knows to be false; or

(f) who attempts or aids or abets the commission of any such offence as aforesaid,

is guilty of an offence and is liable on conviction on indictment to imprisonment for four years.

(2) Without prejudice to the effect of subsection (l)(c) or (d), any person —

(a) who is a party to a marriage knowing that it is void on any ground or knowing that it is an irregular marriage;

(b) who marries under a false name or description; or

(c) who attempts or aids or abets the commission of any such offence as aforesaid,

is guilty of an offence and liable on conviction on indictment to imprisonment for two years, or a fine not exceeding $20,000 or both such imprisonment and fine.

(3) Without prejudice to the effect of paragraph (e) of subsection (1), any person who in any declaration, notice, statement, certificate, entry, licence or document required by any of the provisions of this Act to be made, given or issued for the purposes of a marriage, declares, states, certifies or enters any material matter or thing which is false shall if he does so without having reasonable grounds for believing such matter or thing to be true is guilty of an offence and liable on conviction on indictment to imprisonment for one year, or a fine of $10,000 or both such imprisonment and fine.

(4) Any person who attempts to prevent a marriage by pretence that his assent thereto is required by law, or that any person whose consent is so required does not consent, or that there is any legal impediment to the marriage shall, if he does so knowing that the pretence is false, or having no reason to believe that it is true is guilty of an offence and liable on conviction on indictment to imprisonment for two years, or a fine not exceeding $20,000 or both such imprisonment and fine.

(5) For the purpose of this section "irregular marriage" means a marriage (not being a void marriage or a marriage *in articulo mortis*) contracted —

(a) without any notice given of the marriage where such notice is required by this Act;

(b) without the authority of a Certificate for Marriage or a Special Licence;

(c) after the expiration of three months from the date of the issue of any such Certificate for Marriage or grant of a Special Licence;

(d) before the removal of a caveat entered against the issue of a Certificate for Marriage; or

(e) without consent to the marriage as required by this Act.

(6) A prosecution under this section shall not be instituted without the written consent of the Attorney-General. *31 of 2012, s. 6.*

Evidence of marriage by means of Registers.

24. Every entry in the Register of Maritime Marriages and every copy of any such entry purporting to be certified as a true copy under the hand and seal of the Registrar shall be received in all courts and in all proceedings whatsoever as evidence of the marriage to which to entry relates.

Use of foreign language.

25. Where any party to a marriage is not conversant with the English language, then the statements and declarations required by this Act to be used in the contracting of the marriage shall, so far as they affect or are to be used by him or her, be made in the language which he or she commonly uses.

Oaths.

26. For the purposes of this Act —

(a) the Registrar is authorised to administer any oath;

(b) a declaration may be sworn in The Bahamas before, and subscribed by a Notary Public, a Justice of the Peace or a Commissioner for taking affidavits in the Supreme Court;

(c) where a declaration is sworn or an oath is made outside The Bahamas, it may be sworn before, and subscribed by, a Judge, Notary Public or other person or authority authorised to administer oaths.

Expenses.

27. The expenses of carrying the Act into execution shall, where not otherwise provided for, be payable out of the Consolidated Fund by warrant in the usual manner.

Rules.

28. (1) The Minister shall have the power to make rules for carrying out the objects and provisions of this Act.

(2) Without limiting the generality of subsection (1) any rules made thereunder may provide for —

(a) regulating and restricting the issue of licences authorised to be issued under sections 3 and 4 of this Act and ensuring the registration of marriages so licensed;

(b) fixing and enforcing the payment of fees to be paid for performing any act under this Act;

(c) regulating and prescribing any duty to be performed under this Act;

(d) specifying the occasions on which documents or statements are to be supported or vouched for by declarations;

(e) regulating the rectification of errors in marriage registers;

(f) specifying the duties of masters and persons who are second in command to the master who are licensed as marriage officers.

Information may be recorded in an electronic form.

29. The information contained in any register, book or other document required to be kept by the Registrar may be recorded and kept by him in electronic form or such other form as he thinks fit, provided that it is possible to inspect the information and to produce a copy of it in legible form.

FIRST SCHEDULE

(Section 3(6))

Licence to be a Marriage Officer

I,…….being the Registrar-General hereby licence……..of……..…and master of ……..……to be a marriage officer for the purposes of the Maritime Marriage Act (Ch. 124A), to officiate at marriages contracted on board the following Bahamian ship or ships, namely …….

Given under my hand the…….day of…….

……..…….
Registrar-General

SECOND SCHEDULE

(Sections 7(1), 7(3), 8(1) & 14(1))

Forms Relating to Marriage

FORM A

Notice of Intended Marriage

(Section 7(1))

To the Registrar of Marriages

I, [blank][1], firstly hereunder named and described hereby give you notice that a marriage is intended between me and the person secondly hereunder named and described, that is to say:

1. Full name

Marital status[2]
Profession or occupation
Date of birth
Gender at birth
Age
Name of Father
Residential address
Name of ship on which marriage is to be contracted

[1] Insert full name of person giving notice.
[2] State whether single, widower, widow or divorced.

2. Full name
   Marital status[3]
   Profession or occupation
   Date of birth
   Gender at birth
   Age
   Name of Father
   Residential address
   Name of ship on which marriage is to be contracted

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 consanguinity or affinity or other lawful hindrance to the said marriage.

And I solemnly declare that the consent has been obtained of all whose consent is necessary to the said marriage, namely[4]:

In witness whereof I have hereunto set and subscribed my hand this [blank] day of [blank].

(Signature).

[3] State whether single, widower, widow or divorced.
[4] If applicable, insert names and authority of person or persons whose consent is necessary; strike out if not applicable.

FORM B

Notice of Intended Marriage

(Section 7(3))

The persons named and described hereunder have given notice to me of their intended marriage, namely —

[blank] of [blank] and [blank] of [blank][5]

Any person knowing any just cause or impediment why this marriage should not be allowed should enter caveat forthwith in the office of the Registrar of Marriages.

Dated this [blank] day of [blank]

Registrar of Marriages

FORM C

Registrar's Certificate for Marriage

(Section 8(1))

I, [blank], Registrar of Marriages, do hereby certify that on the [blank] day of [blank] notice was duly entered in the Maritime Marriage Notice Book in this Registry of the intended marriage between the parties hereunder named and described, namely —

Full name

Marital status[6]

Profession or occupation

Date of birth

Age

Name of Father

Residential address

Consent, if any, by whom given

Notice of the intending marriage has been duly advertised.

[5] Insert full names, marital status and residential address of parties.

[6] State whether single, widower, widow or divorced.

No *caveat* has been entered against the issue of this certificate.
A *caveat* was entered against the issue of this certificate on the [blank] day of [blank], but was removed by a Judge on the [blank] day of [blank].

Witness my hand this [blank] day of [blank] [blank].

Registrar of Marriages

N.B. This certificate will be void unless the marriage takes place on or before the [blank] day of [blank]

FORM D

Special Licence

(Section 14)

To[7]
These are to license the contracting before you of a marriage between [blank] and [blank][8] in accordance with the provisions of the Maritime Marriage Act (Ch. 124A), you knowing no lawful impediment to the marriage.

Given under my hand this [blank] day of [blank].

……..…….
Registrar-General

N. B. This licence will be void unless the marriage takes place on or before the [blank] day of [blank].

[7] Insert full names of marriage officer.
[8] Insert full names, marital status and residential address of parties.

THIRD SCHEDULE
Consents Required to the Marriage of a Minor
(Section 9)

A. WHERE THE MINOR IS BORN IN WEDLOCK

Circumstances	Person or Persons whose Consent is required
1. Where both parents are living:	
(a) If parents living together,	Both parents
(b) If parents are divorced or separated by order of a court or by agreement;	The parent to whom custody of the minor is committed by order of the court or by the agreement, or, if the minor is so committed to one parent during part of the year and to the other parent during the rest of the year, both parents
(c) If one parent has been deserted by the other.	The parent who has been deserted
2. Where one parent is dead.	The surviving parent.
3. Where both parents are dead.	The lawfully appointed guardian or guardians of the minor.

B. WHERE THE MINOR IS BORN OUT OF WEDLOCK

Circumstances	Person or Persons whose Consent is required
1. If the mother of the minor is living.	The mother.
2. If the mother of the minor is dead.	The lawfully appointed guardian or guardians of the minor.

C. WHERE CUSTODY OF THE MINOR HAS BEEN COMMITTED BY ORDER OF A COURT TO A PERSON OR PERSONS OTHER THAN THE PERSON OR PERSONS WHOSE CONSENT IS REQUIRED AS ABOVE

Circumstances	Person or Persons whose consent is required
In any case where the custody of the minor has been committed by order of the court to a person or persons other than the person or persons whose consent is required under A or B.	The person or persons to whom custody of the minor has committed by order of the court

FOURTH SCHEDULE

FORMS RELATING TO REGISTRATION OF MARRIAGE
(Section 19(1))

FORM E

Particulars of marriage to be entered in Maritime Marriage Log Book and Register of Maritime Marriages

No.
Name of ship and official number .
When married (GMT - date and time, SMT - date and time)
Position of ship (latitude and longitude)
Full name
Marital status
Age
Profession or occupation
Residential address at time of marriage
Father's full name
After Registrar's Certificate or Special Licence
Consent by whom given

This marriage was contracted between us (blank)[9] in the presence of us [blank][10]

Contracted before me,

(Signature)
Marriage Officer.

[9] Parties to sign here.
[10] Witnesses to sign here.

FORM F
(Section 19(2))

Certificate as to Marriage *in articulo mortis*

We the undersigned parties, witnesses and marriage officer do hereby certify that, to the best of our knowledge and belief, both parties to the marriage (the particulars of which appear hereon) are legally competent to intermarry and are of full age, and I [blank][11] medical practitioner, do hereby certify that, to the best of my knowledge and belief, the said [blank][12] is/are in a dying state but able to understand the material parts of the marriage contract.

)
)
)
)
) Signatures[13]

[11] Insert name of medical practitioner.
[12] Insert full name of person or persons in dying state.
[13] Marriage officer, parties and witnesses to sign here.